

the economy of the Greek world, then the propertied classes must have extracted their surplus in other ways, primarily through *unfree labour* (that of slaves, serfs and bondsmen) performed 'directly' for individuals (a subject I have already dealt with in Section iv of this chapter), but also 'indirectly' to some extent, in the form of *rent* (in money or kind) from leases, or else from *taxation*, or *compulsory services* performed for the state or the municipalities (which I propose to deal with in the next chapter).

It may not be out of place if I add a note⁵² listing all the references to hired labour in the New Testament, of which the only ones of particular interest are Mt. XX.1-16 (the 'Parable of the Vineyard', referred to above) and James V.4.

Forms of Exploitation and the

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So far, in discussing the economy of the Greek world, I have spoken mainly of the relationship and other aspects of the economy, but little more than men, mortgagee and mortgagor, the yielding of labour, nothing about the *indirect* organs of the state – periods, must be taken. Hellenistic kings and the many *poleis* through which they administered. Broadly, they were of servile or quasi-servile, also hired labourers, exploitation by *individuals* from the slaves of the *familia Caesaris* – *publici*) owned by the state, the *indirect* exploitation which I have called *indirect* ways I shall describe. The *indirect* class, above all the *indirect* independent producers, the *indirect* keepers or petty dealers, but on their own account, vast majority were *indirect* of small independent producers, which I shall define as *indirect*.

Ideally, it might have been effected by land, together with other *indirect* but since they applied, they found it convenient to 'collective' exploitation.

By 'indirect and compulsory services which were

exacted by the authority of the state (as defined above) from a whole community (a village, for example) or from individuals. They would normally take one of three main forms: (1) taxation, in money or in kind; (2) military conscription; or (3) compulsory menial services such as the *angariae* I mentioned in I.iii above. Taxation, of course, was usually the most important of these forms of exploitation. After working out the position I have just stated, I came across a statement in Marx which proves that he too distinguished between what I am calling 'direct individual' and 'indirect collective' exploitation, specifically in regard to taxation. In the earliest of his three major works on recent French history, *The Class Struggles in France* (published as a series of articles in the *Neue Rheinische Zeitung* during 1850), Marx says of the condition of the French peasants of his day that 'Their exploitation differs only in form from the exploitation of the industrial proletariat. The exploiter is the same: capital. The individual capitalists exploit the individual peasants through mortgages and usury; the capitalist class exploits the peasant class through the State taxes' (MECW X, 122).

Now except in a democracy, like that of Athens in the fifth and fourth centuries B.C., which extended political rights to the lowest levels of the citizen population, the state would be in effect simply the instrument of the collective property-owners, or even of a restricted circle among them – a Hellenistic king and his henchmen, for instance, or a Roman emperor and the imperial aristocracy. 'To the wider vision of the historian,' Sir Harold Bell once wrote, 'one ruler may differ greatly from another: to the peasant the difference has mainly been that the one chastised him with whips and the other with scorpions.'¹ Quite apart from direct exploitation of slaves, bondsmen, serfs, hired labourers, tenants, debtors and others by individual property-owners, such a state would provide for 'its own needs' by taxation, the exaction of compulsory services, and conscription. Taxation took many different forms in the Greek world.² In the cities before the Hellenistic period it may often have been quite light, if only because the lack of anything resembling a modern civil service made it difficult if not impossible to collect small sums in taxes profitably from poor people (that is to say, from the great majority of the population), without the intervention of tax-farmers (*telōnai* in Greek, Latin *publicani*), who seem to have been very unpopular with all classes. We have hardly any information about taxation in the Greek cities in the Classical period, except for Athens,³ where the poor were in practice exempt from the *eisphora*, the only form of direct taxation, and were probably little affected by indirect taxes other than the import duties and harbour dues. (It is a melancholy fact, characteristic of our sources of information for Greek – even Athenian – economic history, that our fullest list of taxes for a single city in any literary source should occur in Comedy: Aristophanes, *Wasps* 656–60!) The total burden of taxation in the Greek cities and their territories certainly increased in the Hellenistic and Roman periods. According to Rostovtzeff, 'the Hellenistic period did not introduce any substantial changes into the system which had been firmly established for centuries in the Greek cities' (SEHHW III.1374 n.71). With emphasis on the word 'substantial', this can be accepted, but the evidence consists mainly of small scraps; the only individual source of any real significance is an inscription from Cos, SIG³ 1000 (which has been fully discussed in English).⁴ But most of the Greek cities were sooner or later subjected to some form of taxation by Hellenistic kings, and eventually the

vast majority had to pay taxes to Rome. In Asia, of course, the Hellenistic kings inherited the Persian system of taxation, first organised by Darius I at the end of the sixth century B.C.; and although in the Hellenistic period many Greek cities were exempt from this, the peasants on land not included in the territory of a city must always have been subject to this burden. In Egypt, the Ptolemies reorganised the age-old taxation system of the Pharaohs, and the elaborate arrangements they devised were later inherited by the Romans.⁵ Modern historians have largely ignored the tiresome question of taxation in the Hellenistic and Roman periods, no doubt mainly because of the very unsatisfactory source material. Rostovtzeff is a prominent exception. A glance at the relevant index of his SEHHW (III.1741–2) will show nearly three columns filled with entries under 'Tax collectors . . . taxation . . . taxes' (and see the column and a half in the index to his SEHRE², II.815). Further epigraphic discoveries may well extend our knowledge of this subject, as they have done in the past. For instance, it was from an inscription discovered not long ago in Bulgaria that the first example came to light of a poll-tax (of one denarius per head) collected by a local city from some of the inhabitants of its area, with the express permission of the emperor, for its own benefit (IGBulg. IV.2263, lines 6–8).⁶

Taxation greatly increased in the Middle and Later Roman Empire,⁷ falling most heavily on the peasantry, who had least power to resist – as I shall explain in VIII.iv below, the rich man had a far better chance of escaping, or minimising payment. The small producer might also be compelled to perform all kinds of compulsory services at the behest of the state, at first mainly in those parts of the Greek world (especially Egypt and Syria) which had once formed part of the Persian empire and in which there survived indefinitely forms of obligatory personal service such as the *corvée* (for repairing canals etc.) or the transport duties which were the original *angariae* (see I.iii above and its n.8 below).

Among the forms of what I have called 'indirect collective exploitation' we must not fail to notice conscription. In the Greek cities, military service in the cavalry or the heavy-armed infantry (the hoplite army) was a 'liturgy' expected mainly of those I am calling 'the propertied classes' (see III.ii above), although I believe that hoplite service sometimes (perhaps often) went down rather below that level and affected some of those who normally had to do a certain amount of work for their living. Light-armed troops and naval forces were recruited from the non-propertied, and some cities even used slaves, among others, to row their warships (see e.g. Thuc. I.54.2; 55.1). I suspect, however, that conscription of the poor for such purposes was rather rare, at any rate unless pay (or at least rations) were given. And I think there is reason to believe that at Athens in particular those below the hoplite class (the Thetes) were conscripted only temporarily, in emergencies (as in 428, 406 and perhaps 376); until 362, when – as I think – conscription of Thetes for the fleet was introduced and became much more frequent.⁸

The feature of military conscription which is particularly relevant here is that it will have represented no really serious burden upon the well-to-do, who did not have to work for their living and whom military service would merely divert from other occupations – often more profitable, it is true. For all those below my 'propertied class', conscription, diverting them from the activities by which they earned their daily bread, could be a real menace, and those who were

furthest from belonging to the propertied class would presumably suffer most. Marx, who knew his Appian, quotes in a footnote to Vol. I of *Capital* (pp. 726-7 n.4) part of the passage in which Appian describes the growth of great estates and the impoverishment of the Italian peasantry during the Republic (BC 1.7), and adds the comment, 'Military service hastened to so great an extent the ruin of the Roman plebeians.' (Appian, indeed, in that passage gives the freedom of slaves from conscription as the reason why Roman landowners 'used slaves as cultivators and herdsmen', rather than free men.) With the inception of the Roman Principate (and indeed even earlier, from the time of Marius, in the late second century B.C.) conscription came to be replaced to some considerable extent by voluntary recruitment, although it continued to a greater degree than many historians have realised (see Section iv of this chapter and its n.1 below).

(ii)

The peasantry and their villages

Although the peasantry represents 'an aspect of the past surviving in the contemporary world', yet it is 'worth remembering that – as in the past, so in the present – peasants are the majority of mankind'.¹ Thus Teodor Shanin, in his Introduction (p.17) to the valuable Penguin volume on *Peasants and Peasant Societies* which he edited in 1971.¹ In the present generation, partly as a result of the recent proliferation of studies of backward or exploited countries (the so-called 'developing countries'), there has been a remarkable growth of interest in what some people like to refer to as 'peasant economies' or 'peasant societies', and a *Journal of Peasant Studies* began to appear in 1973. A great deal of information has been collected about peasants; but just as this branch of studies had to rely largely in time past upon historians untrained in sociology and with little or no regard for wider sociological issues, so now it is in danger of becoming mainly the province of sociologists who have an insufficiently historical approach or are not qualified by their training to make the best use of historical material – in particular that from the ancient world, much of which is very hard for anyone but a trained Classical scholar and ancient historian to use profitably.

Now I admit that a very large part of the Greek (and Roman) world throughout most of its history would satisfy some of the currently popular definitions of a 'peasant economy' or 'peasant society', notably one that is widely accepted today, that of Daniel Thorner, presented to the Second International Conference of Economic History at Aix in 1962, as a paper entitled 'Peasant economy as a category in economic history', published in 1965 in the Proceedings of the conference² and reprinted in Shanin's Penguin reader mentioned above (PPS 202-18: see esp. 203-5), where we also find a number of alternative definitions and discussions of the concepts of 'peasant economies' (e.g. 99-100, 150-60, 323-4) and 'peasants' (104-105, 240-5, 254-5, 322-5). The ancient historian needs to be able to operate occasionally with the concept of a 'peasant economy', at least for comparative purposes, and he may sometimes find this category really useful in dealing with Greek and Roman society. On the other hand, he will also want to isolate the specific features which differentiate the various phases of ancient Greek (and Roman) society from peasant economies – or other peasant economies. My own inclinations are rather of the second variety, and although I

shall certainly make use (after defining it) of the category of 'peasants', I shall rarely think in terms of a 'peasant economy'. I agree with Rodney Hilton, who in the publication of his 1973 Ford Lectures at Oxford has pointed out that 'this concept "peasant economy" could embrace most of human history between "tribal" (American, "folk") society and the completion of industrial transformation in modern times. It could certainly apply to most European mediaeval states' (EPLMA 7-8). If we feel the necessity to classify the particular society we are studying, in order to group it with certain broadly similar societies and to distinguish it from those in other groups, then for most purposes I think we shall find it more profitable to place the ancient Greek world, in its successive – and in some ways very different – phases, within the field of 'slave society' rather than 'peasant society', although of course operating mainly with the former concept does not by any means exclude the use of the latter in appropriate situations. Perhaps I should repeat here what I have said before (e.g. in II.iii and III.iv above): for my purposes, the fact that the propertied classes of the Greek and Roman world derived the bulk of their surplus from the exploitation of unfree labour makes it possible for us to consider that world as (in a very loose sense) a 'slave economy' or 'slave society', even though we have to concede that during a large part of Greek and Roman history peasants and other independent producers may not only have formed the actual majority of the total population but may also have had a larger share (usually a much larger share) in production than slaves and other unfree workers. Even when, by the fourth century of the Christian era at the very latest, it is possible to be fairly sure that production by chattel slaves in the strict sense has dropped well below the combined production of free peasants, peasant serfs, and miscellaneous artisans and other free workers of all kinds, whether working on their own account or for wages (see III.vi above), the unfree labour of the serfs is a major factor, and permeating the whole society is the universal and unquestioning acceptance of slavery as part of the natural order (cf. III.iv above and Section iii of this chapter). As I shall demonstrate in VI.vi and VII.iii below, Christianity made no difference whatever to this situation, except perhaps to strengthen the position of the governing Few and increase the acquiescence of the exploited Many, even if it did encourage individual acts of charity.

The townsman through the ages has always regarded the peasant's lot as unenviable, except on those occasions when he has allowed himself some sentimental reflection upon the morally superior quality of the peasant's life (see the first paragraph of I.iii above). Edward Gibbon, congratulating himself in his autobiography on having been born into 'a family of honourable rank and decently endowed with the gifts of fortune', could shudder as he contemplated some unpleasant alternatives: being 'a slave, a savage or a peasant' (*Memoirs of my Life*, ed. G. A. Bonnard [1966] 24 n.1).

To my mind, the most profound and moving representation in art of 'the peasant' is Vincent Van Gogh's *De Aardappeleters* (*The Potato Eaters*), painted at Nuenen in Brabant in April-May 1885, a reproduction of which forms the Frontispiece to this book. Apart from preliminary studies, two versions (as well as a lithograph) exist, of which the one in the Van Gogh Museum in Amsterdam is undoubtedly finer than the earlier one in the Kröller-Müller Museum at Otterlo near Arnhem. As Vincent himself said, in a letter to his brother Theo,

written on 30 April 1885, while the picture was still being painted:

I have tried to emphasise that those people, eating their potatoes in the lamplight, have dug the earth with those very hands they put in the dish, and so it speaks of *manual labour*, and how they have honestly earned their food. I have wanted to give the impression of a way of life quite different from that of us civilised people.³

(I am sure it would not be possible to find a parallel to that statement in the whole of the literature that survives from the Greek and Roman world.) The quality that impresses one most about Van Gogh's peasants is their endurance, their solidity, like that of the earth from which they draw just sufficient sustenance to maintain life. In at least four of his letters Van Gogh quotes a description of Millet's peasants which certainly applies to his own: 'Son paysan semble peint avec la terre même qu'il ensemence.'⁴ The Potato Eaters are poor, but they are not evidently miserable: even if the artist shows infinite sympathy with them, he depicts in them no trace of self-pity. These are the voiceless toilers, the great majority – let us not forget it – of the population of the Greek and Roman world, upon whom was built a great civilisation which despised them and did all it could to forget them.

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People today are apt to take it for granted that peasant production is inefficient, compared with modern large-scale agriculture, 'agribusiness', because the latter can farm a vast acreage with very little labour on the spot and can therefore undersell the peasant and drive him off the land. However, on the basis of a different method of calculation, taking into account the vast quantities of fossil fuels, manufactured fertiliser and machinery that 'agribusiness' needs to consume, there are those who maintain that peasant production is more efficient, ecologically and in the long term. I do not pretend to be able to decide this issue.

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We must formulate a definition of 'peasants', 'peasantry'. I have found the one given by Hilton (*EPLMA* 13) most illuminating, and my own follows it closely. He is prepared to accept the 'peasantry' as a useful category not only in connection with the period he is concerned with (roughly the century after the Black Death of 1347/8–51) but also as applying to peasants 'in other epochs than the Middle Ages and in other places than Western Europe'. The definition he proceeds to give is based on treating the peasantry as 'a class, determined by its place in the production of society's material needs, not as a status group determined by attributed esteem, dignity or honour' (*EPLMA* 12). That is precisely the way in which I wish to treat the ancient Greek peasantry. My definition, then, adapted from Hilton's, is as follows:

1. Peasants (mainly cultivators) possess, whether or not they own, the means of agricultural production by which they subsist; they provide their own maintenance from their own productive efforts, and collectively they produce more than is necessary for their own subsistence and reproduction.

2. They are not slaves (except in the rare case of the *servus quasi colonus*, dealt with in Section iii of this chapter) and are therefore not legally the property of others; they may or may not be serfs or bondsmen (within the definitions in III.iv above).

3. Their occupation of land may be under widely differing conditions: they may be freeholders, lessees (at a rent in money, kind or shares, and combined or not with labour services), or tenants at will.

4. They work their holdings essentially as family units, primarily with family labour, but occasionally with restricted use of slaves or wage-labour.

5. They are normally associated in larger units than the family alone, usually in villages.

6. Those ancillary workers (such as artisans, building and transport workers, and even fishermen) who originate from and remain among peasants may be considered as peasants themselves.

7. They support superimposed classes by which they are exploited to a greater or less degree, especially landlords, moneylenders, town-dwellers, and the organs of the State to which they belong, and in which they may or may not have political rights.

It will be seen that the peasantry, as I have defined them, partly overlap the categories of unfree labour which I have laid down in III.iv above: all serfs are peasants, and so are most agricultural bondsmen, but slaves are not – although the 'slave *colonus*' whom I describe in § 12 of Section iii below must be allowed for some purposes to count as a peasant. At their highest level, peasants begin to merge into my 'propertied class' (as defined in III.ii above); but in order to do so they must *exploit the labour of others* outside the family, by making use of slaves, serfs, or hired labourers, and as soon as they do that to any significant degree, and become able to live without being obliged to spend any substantial amount of their time working for their living, they cease, according to my definition, to count among peasants and must be treated as members of the propertied class. Only by exploiting the labour of others could a peasant family hope to rise into the propertied class.

One of the best analyses I know of a particular peasantry is that given by Engels in 1894 in an article entitled 'The peasant question in France and Germany'. (An English translation is included in *MESW* 623–40.) Engels knew much more about peasants at first hand than most academic historians. As he wrote in some travel notes late in 1848, he had 'spoken to hundreds of peasants in the most diverse regions of France' (*MECW* VII.522). In the article written in 1894 he distinguishes three broad groups of peasants, with one, the 'small' peasant, set apart qualitatively from the other two, and carefully defined as 'the owner or tenant – particularly the former – of a patch of land no bigger, as a rule, than he and his family can till, and no smaller than can sustain the family' (*MESW* 625). The other two groups, of 'big' and 'middle' peasants, are those who 'cannot manage without wage-workers' (637), whom they employ in different ways (624–5); the bigger ones go in for 'undisguised capitalist production' (638). It is roughly along these lines that I would divide ancient Greek peasants, although of course the labour which the 'big' and (to a less extent) the 'middle' peasant would employ in the Greek world would more often be that of slaves than of hired hands. It will be seen that clause 4 of the definition of peasants I have given above excludes Engels' 'big' peasants altogether: they are part of my 'propertied class', and my 'peasants' are mainly his 'small' ones, with some of the 'middle' variety.

Another analysis of a peasant situation which shows a deep understanding of its class constituents is that of William Hinton, in his remarkable book, *Fanshen. A Documentary of Revolution in a Chinese Village* (1966 and repr.). At the very outset of the Chinese revolution in each area it was necessary to break down the conformist assumptions generated in the minds of the peasants by centuries of landlord rule.⁵ The ancient historian can find extraordinary interest in Hinton's description of a meeting held in January 1946 in Li Village Gulch to decide upon the nature of the agrarian reform to be undertaken in the Fifth District of Lucheng County in the Province of Shansi, which included the village of Long Bow, the particular object of Hinton's study. The main practical question to be decided was whether rent should continue to be paid to landlords. But the meeting opened with a consideration of certain fundamental questions, beginning with 'Who depends upon whom for a living?'. Many peasants assumed that of course it was they who depended upon the landlords: 'If the landlords did not let us rent the land,' they said, 'we would starve.' Many who had been driven by poverty to work as hired labourers for landlords were prepared to accept their situation as part of the natural order, provided they were not actually cheated but were fed and paid according to their contract. Gradually the peasants came to realise that it was the landlords who depended for a living upon them and their labour, and they grasped the fact that 'the exploitation inherent in land rent itself' was 'the root of all the other evils' (*Fanshen* 128-30). I may add that the criteria for analysing class status in the countryside, forming part of the Agrarian Reform Law of the Chinese People's Republic (and set out in Appendix C to Hinton's book, 623-6), are well worth studying: the categories recognised there are again defined primarily by the extent to which each individual exploits others or is himself exploited. When there is no one interested in opening the peasant's eyes to his oppressed condition, he will often accept it, whether with resignation or with resentment; and his lords, who would like to believe that he is perfectly contented, may even persuade themselves that he really is. When the Pearce Commission reported in 1972 that the majority of the African population of Rhodesia (now Zimbabwe), amounting to five or six million, refused to accept the sham constitutional reforms offered to them by the British Conservative government and Smith's Rhodesia Front, and designed to prolong the rule of the quarter of a million whites, the British and even more Smith and the Front were astounded. 'No one could henceforth believe that Smith governed with African support, or on any other basis than *force majeure*' (Robert Blake, *A History of Rhodesia* [1977] 405).

I do not wish to elaborate on the differences one could proceed to establish between ancient Greek and, for example, mediaeval English peasants. In doing this one would of course wish to introduce those varying political and legal characteristics which my definition, couched as it is primarily in economic and social terms, deliberately omits. Yet even then one must admit that the differences between various kinds of peasants inside the Greek world or within mediaeval England were in some important respects more significant than the differences at each corresponding level between the societies. I would suggest that the free English yeoman who held a small plot of land in free socage and the Athenian small peasant of the fifth or fourth century B.C. had more in common in some ways than the yeoman with the villein, or the Athenian with one of the

abject villagers of Aphroditto in Egypt who grovelled before their local bigwig in a petition of A.D. 567, quoted later in this section.

It may be asked why I have singled out the peasantry as a class. The answer is that those I have defined as 'the propertied class' (or classes: see III.ii above) often derived part of their surplus, and sometimes a very substantial part, from peasants, either by direct and individual exploitation (principally through rent and interest) or in the mainly 'indirect and collective' way I have described in Section i above. In some places, at some periods, by far the greater part of a rich man's income might be derived from unfree labour; but even at the very time when we have most reason to expect precisely that situation, namely the Italy of the Late Republic, we find Domitius Ahenobarbus raising crews for seven ships in 49 B.C. from his 'slaves, freedmen and *coloni*', who are shortly afterwards referred to as his '*coloni* and *pastores*' (Caes., *BC* I. 34, 56); and some members of the propertied class, especially in the Later Roman Empire, derived much of their surplus from nominally free *coloni* rather than slaves (see Section iii of this chapter).

There might be very great variations – political and legal, as well as economic – in the condition of peasants over the vast area and the many centuries of my 'ancient Greek world'. In an independent Greek democracy which was its own master, the non-propertied classes would at least have a chance of reducing to a minimum any direct exploitation of themselves by the State on behalf of the propertied class (cf. II.iv above and V.ii below). Under an oligarchy they would be unable to defend themselves politically, and when they became subject to a Hellenistic king or to Rome they might find themselves taxed for the benefit of their master, and perhaps subjected to compulsory personal services as well. In the Greek East (see I.iii above) the peasantry derived little or no benefit from the costly theatres, baths, aqueducts, gymnasia and so forth which were provided for the enjoyment mainly of the more leisured section of the city population, partly out of local taxation and the rents of city lands, partly out of donations by the local notables, who of course drew the greater part of their wealth from their farms in the countryside (see III.ii-iii above). We can still think in terms of 'exploitation' of the 'small independent producer', even in cases where no particular individual appears in the capacity of direct exploiter (see Section i of this chapter).

Of course the great majority of our 'small independent producers' were what I am calling peasants. Some might be tempted to draw firm distinctions between a number of different types of peasant. Certainly in principle one can distinguish several categories even among the peasants, according to the forms of tenure by which they hold their land, for example:

1. Freeholders who had absolute ownership of their plots.
2. During the Hellenistic period, men who in practice were virtually absolute owners for the duration of their lives, but who held their land on condition of performing military service, and who could not transmit it directly to their heirs without the endorsement of the king. (In practice, such lots often became eventually equivalent to freeholds.)⁶
3. Tenants who either (a) held on lease, for their lives or (much more commonly) for a term of years (which might in practice be renewable at the option of one party or the other or both), or (b) were what English lawyers call

'tenants at will', subject at any time to the possibility of being ejected or of having their terms of occupation made more onerous (e.g. with a higher rent). These tenants, of either class, would fall into four broad groups, according to the nature of the landlord's return, which might be (i) a fixed rent in money, (ii) a fixed rent in kind, (iii) a share of the crop (the Roman *colonia partiaria*, modern *métayage* or share-cropping), or (iv) labour services. Combinations of these alternatives were of course possible: in principle, a share of the crop could be combined with a fixed rent in money or kind or both; a rent could be made payable partly in money and partly in produce at a predetermined price (as in *Dig. XIX.ii.19.3*); and labour services could be exacted in addition to rent in money or kind – although in point of fact there is surprisingly little evidence in ancient literature, legal texts, inscriptions or papyri for labour services on anything more than a very small scale (about six days a year) until we reach the sixth century, when a Ravenna papyrus speaks of several days' service a week on the 'home farm' in addition to rent in money (*P. Ital. 3*; see below). I will add only that in some cases payment of rent in money rather than kind might make things much more difficult for the tenant, who would be obliged to sell his crop in order to pay his rent, and might have problems where the crop could not easily be disposed of on the spot or at a nearby market.

This is a convenient place at which just to mention the form of leasehold tenure known as *emphyteusis*, under which land (usually uncultivated or derelict) was leased for a long term or in perpetuity at a low rent (often nominal at first).⁷ But *emphyteutic* tenures, which became widespread in the Later Empire, from the fourth century onwards, raise very complicated problems of Roman law. In most cases the lessees would probably not be small peasants (but see the end of IV.iii n.50 below).

Some people might be tempted to say that peasants who hold their land in freehold, as absolute owners, 'must always have been' in a better position than leaseholders. I would concede that there is a small measure of truth in this, if we add, 'other circumstances being equal'; but as a generalisation it will not stand, as there were too many countervailing factors. In the first place, the properties of freehold peasants would often tend to become smaller by subdivision among sons and might well end up as units too small to work economically, whereas a landowner leasing out property could choose what size was most profitable (cf. Jones, *LRE* II.773–4). And in many circumstances – for instance, in areas with poor soil or subject to exceptionally high taxation, or after successive crop failures or devastation by enemy raids or maltreatment by government officials – a tenant might well suffer less than a freeholder, especially perhaps if the tenant was a share-cropper (*colonus partiarius*), and even more if his landlord was a powerful man who was willing to give him some protection. The freeholder's farm was a far more valuable piece of property than mere rented land and could therefore be used as a security for debt – and become subject to foreclosure on default. Debt was always the nightmare of the small freehold peasant, especially since the laws affecting defaulting debtors in antiquity (see under heading III of III.iv above) were often very harsh and might involve personal enslavement or at any rate some measure of bondage while the debt was being worked off – sometimes an indefinitely long process. Impoverished debtors sometimes

agitated not only for a moratorium on interest payments or for limitation or reduction of the rate of interest (which could be very high), but for the total cancellation of all debts: in Greek, *chreōn apokopē*; in Latin, *novae tabulae*. This demand was sometimes supported by radical reformers in antiquity, and it was frequently joined with the advocacy of a general redistribution of land, *gēs anadasmus*, the other main plank in the platform of radicals on the political Left. (For recent works on both these phenomena see V.ii n.55 below.) In the Greek world there were two occasions in particular on which we happen to be quite well informed about these demands and the degree of success they achieved: at Athens in 594/3 B.C. the lawgiver Solon granted a complete cancellation of debt (known as his *seisachtheia*) but refused to redistribute the land (see V.i below and its n.27); and at Sparta in 243–242 B.C. King Agis IV procured a general cancellation of debts but was prevented from going on to the redistribution of land he had also planned (see V.ii n.55 below). Similar measures, and agitations for them, are recorded not only from the Greek world but also from the Near East, in particular the reform brought about in Judaea by the prophet Nehemiah, probably in the 440s B.C., described in Nehemiah V.1–13:⁸ this provides the nearest parallel I know (even if not a very close one) to the debt-cancellations by Solon and Agis.

The possibility of foreclosure by a mortgagee and the consequent forfeiture of his land made the humble freeholder's position much less superior to that of the leasehold tenant than it might seem at first sight. And a tenant, the 'mere' tenant of a landlord, might have a weapon of sorts, if he and his neighbours could act in concert: the *anachōrēsis* or *secessio*, an 'exodus' which was essentially a strike, taking the form of a collective departure (preferably to a nearby temple where asylum could be claimed) and a refusal to resume work until grievances were remedied. The evidence comes largely from Hellenistic and Roman Egypt, where the practice was evidently common⁹ and was resorted to even by the tenants of royal land, the 'king's peasants'. Tenants might indeed be able to draw some advantage from the fact that the landlord's interest (even if concentrated on exploiting them as much as possible) was not entirely hostile to their own, and they might actually receive some measure of protection from a powerful landlord, who might even be the Roman emperor himself, and who in any event might at least be willing, in his own interest, to try to prevent his tenants' efforts to cultivate the land from being thwarted by the depredations of officials or soldiers – always a terror to the peasantry in the Roman empire.

It is worth while to give a few examples of the plight of peasants, out of many possible ones, in the shape of four very well known inscriptions (texts and English translations of which are easily available),¹⁰ recording the bitter complaints of peasants against ill-treatment by government officials. Three are in Greek, but I shall begin with one in Latin, the most famous, from the first years of the reign of Commodus (c.181), found at Souk el-Khmis in north Africa (modern Tunisia), and referring to the *saltus Burunitanus*, an imperial estate let out to head lessees, *conductores*, who had sub-let to small peasants, *coloni*. (Although this document relates to a Western area, far outside my 'Greek world', it has attracted so much attention and records such a characteristic situation that I think it well worth mentioning.) The inscription records a petition by the *coloni* to the emperor, complaining of collusive action to their detriment between their

head lessee and the imperial procurator, who was responsible to the emperor for managing the estate. (This situation is likely to have been very common throughout the Greek and Roman world.) The *coloni*, describing themselves as 'most unhappy men' and 'poor rustics', object that more than the proper share of their crops and the prescribed number of days of labour services (six per year) have been exacted from them and that the procurator has sent in troops and had some of them seized, and tortured, fettered or flogged, simply because they had dared to make a complaint to the emperor. (R. M. Haywood, in Frank, *ESAR* IV.96-8, gives a text and English translation.)¹¹ The other three inscriptions all record petitions in Greek, to the first two of which are appended imperial replies in Latin. A petition (of A.D. 244-7) to the Emperor Philip from the villagers of Arague in the Tembris valley in Phrygia (in western Asia Minor), who describe themselves as 'the community [*koinon*] of the Aragueni' and as tenants of the emperor, mentions an earlier petition to the emperor before his accession, when he was praetorian prefect, and reminds him how deeply his divine soul had been troubled by their plight, although it appears that the only evidence they had for this touching disturbance of soul was that Philip had sent on their petition to the proconsul of Asia, who had done nothing (or at any rate, nothing effective) about it – they were still, they said, being plundered by rapacious officials and city magnates against whom they had no redress. (This inscription can conveniently be consulted in Frank, *ESAR* IV.659-61, where there is a text with English translation by T. R. S. Broughton.)¹² In another petition (of A.D. 238), from Scaptopara in Thrace to the Emperor Gordian III, the villagers, who seem to be freeholders, make a very similar complaint, adding, 'We can stand it no longer. We intend to leave our ancestral homes because of the violent conduct of those who come upon us. For in truth we have been reduced from many householders to a very few' (*IGBulg.* IV.2236; there is an English translation in Lewis and Reinhold, *RC* II.439-40).¹³ Most interesting of all is an inscription from Aga Bey Köy, near the ancient Philadelphia in Lydia (in western Asia Minor), to be dated perhaps at the very beginning of the third century, in the reign of Septimius Severus. (There is a text with English translation by Broughton in Frank, *ESAR* IV.656-8.)¹⁴ Here the peasants, who are tenants of an imperial estate, actually threaten that unless the emperor does something to stop the dreadful exactions and oppression by government officials from which they are suffering, they will desert their ancestral homes and tombs and go off to private land (*idiōtikē gē*) – in other words, become the tenants of some powerful landlord who can give them the protection they need, a practice we hear of as actually happening elsewhere, notably in mid-fifth-century Gaul, from the Christian priest Salvian (see below).

As between the various forms of tenancy, much would depend upon the terms of the individual letting. Rents in money or kind might be relatively high or low, labour services (if exacted) might differ widely, and share-cropping tenancies might vary a good deal in the division of the crop between landlord and tenant: half-and-half was common, but the landlord's share (often depending on the nature of the crop) might be as much as two-thirds and was hardly ever less than one-third. Perhaps share-cropping was preferable as a rule from the tenant's point of view, in bad times at any rate; but this would depend upon the shares allocated to each party, and these would naturally differ according to

how much the landlord provided of the slaves, animals, tools, corn and other elements in what the Roman lawyers called the *instrumentum* (the equipment) of the farm (for which see § 18 of Section iii of this chapter). As the second-century jurist Gaius put it, 'The share-cropper [*colonus partiarius*] has a sort of partnership, and shares both profit and loss with his landlord' (*Dig.* XIX.ii.25.6). In the event of a near-total crop failure even the share-cropper, who would then have to give his landlord virtually nothing, would himself soon be left with nothing to eat, and he would be just as much at the mercy of his landlord, or some usurious lender, as any tenant who defaulted in payment of a fixed rent. In a moderately bad year the share-cropper's position, and whether or not he was driven to borrow from his landlord or a moneylender, would depend as much on the size of his plot as on the share of the crop he was allowed to keep – this is often overlooked.

I think that the most important factor in the peasant's position must often have been the labour situation in his locality – or, to be more precise, the supply of labour in relation to the area of cultivable land. Landlords needed labour to cultivate their lands. There is little evidence for hired labour on any considerable scale, except at harvest times, when it must have been very common; but it cannot have been available in large quantities at other times: see III.vi above, where I have also mentioned some texts which speak of neighbours helping each other out. If slaves were expensive or difficult to obtain (as they evidently were in at any rate some areas during the Principate and Later Empire), then there would be some competition among rich landlords for the services of tenants. Plagues, conscription, and the capture of agricultural workers by 'barbarian' raiders would naturally improve the situation of those who were left, as the Black Death improved the position of agricultural workers in fourteenth-century England. But as early as the beginning of the second century, long before the Graeco-Roman world began to suffer seriously from pestilences or major 'barbarian' invasions, we hear from Pliny the Younger of a scarcity of tenants on his estates in north Italy: see his *Ep.* VII.30.3 (*rarum est invenire idoneos conductores*), and III.19.7, where *penuria colonorum* must mean 'scarcity' and not 'poverty' of tenants¹⁵ (cf. *rarity operariorum* in Pliny, *NH* XVIII.300). We also find Pliny making large reductions in his rents (*IX.37.2*) and contemplating more (*X.8.5*).

In an interesting article published in the *Journal of Peasant Studies* in 1976, Peter Garnsey advanced the view that 'the only substantial class of peasant proprietors for which there is documentary evidence in the late Empire consists of military men' (PARS 232). This I think needs qualification: it seems to be founded partly on the belief that in the fourth century assignments of land to veterans on discharge were 'tax-free' (*ibid.* 231). This is an appallingly difficult question; but since I accept the views of A.H.M. Jones on the matter of *iugatio/capitatio* (*RE* 280-92; *LRE* I.62-5, 451-4), I would regard the tax-exemption of the veteran as normally limited to the *capita* of himself and his wife (and his parents, if living), and not extending to their *iuga* of land (see esp. Jones, *RE* 284). And this was a purely personal privilege, not extending to children. The words '*easque perpetuo habeant immunes*' in *CTh* VII.xx.3.pr. must refer only to the lifetime of the veteran (cf. Ulpian, in *Dig.* L.xv.3.1): I see nothing in *CTh* VII.xx to contradict this, and there is no trace of further privilege for veterans' sons in *CTh* VII.xxii

or elsewhere – indeed, during the fourth century the sons were expected to serve in the army. But on these questions I do not wish to seem dogmatic.

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I turn now to a brief consideration of *labour rents*, an expression I use for convenience for those *labour services due regularly* under the terms of a tenancy instead of, or as a supplement to, rent in money or kind. (Labour services, as I use that expression, could include not only the regular labour rents I am considering here but also labour demanded *occasionally* from tenants, whether legitimately or not, and resembling the *angariae* which I have referred to elsewhere, especially in I.iii above.) Labour rents seem to have played a surprisingly small part in the Greek and Roman world. I say 'seem to have played', because it is just possible, although in my opinion unlikely, that labour rents were in reality far more widespread than our surviving evidence suggests. As far as I know, only one writer in recent times, John Percival, has seriously examined this difficult question and suggested that labour rents may have been a great deal more common than most of us suppose.¹⁶ I have nothing new to contribute to the discussion, and I can do no more here than state the position as it is generally known.

Only in a mid-sixth-century Latin papyrus from Ravenna, dealing with an estate belonging to the Church of Ravenna, do we find labour rents exacted on a scale resembling the situation in many mediaeval manors, up to three days per week (*P. Ital.* 3, I.3.2–7). Apart from a few texts which may or may not refer to labour rents,¹⁷ it is only in three of a well-known set of African inscriptions of the second and early third centuries that labour rents figure prominently, and here they are on a very much smaller scale: in two of these inscriptions the tenants have to perform six days' labour per year (two days at each of the seasons of ploughing, harvesting and hoeing), and in the third (and most fragmentary) their obligation is apparently to supply twelve days' labour per year (four days on each of the same three occasions).¹⁸ It is of course only for the benefit of a landlord's 'demesne' or 'home farm' that labour rents are desirable, and it looks as if it was rare in the Greek and Roman world for such a holding to exist, surrounded by farms let to peasants whose labour is utilised.¹⁹ I agree with A. H. M. Jones that the institution of labour rents was 'relatively rare' in the Later Empire (*LRE* II.805–6), and I believe that the same is true of the Principate, although a few days' service each year, as revealed by the African inscriptions I have just mentioned, may well have been exacted much more often than our evidence reveals.

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A thorough investigation is needed of the ways in which agricultural production was organised in the various parts of the Graeco-Roman world. I believe that the best way of approaching this subject is through the forms of land tenure, always with the primary aim of discovering *how exploitation was effected*, and to what extent – a point of view which has all too often been absent from modern work in this field. A vast amount of evidence is available, not only from inscriptions and papyri and the legal and literary sources (including among the last the ecclesiastical ones), but also from archaeology, although those who have done the actual excavating have too seldom been interested in the kind of problem

I have in mind. Since there is a great deal of material in legal texts, especially the *Digest*, the co-operation of Roman lawyers should be particularly helpful. (I hope to pursue this undertaking with the aid of some Oxford colleagues and pupils.) In any such research it is desirable to employ, for comparative purposes, some of the ample evidence about mediaeval and modern peasantries which historians have collected about individual societies, commonly without regard for wider sociological issues, and in which sociologists have recently become very interested, often (as I said at the beginning of this section) with an insufficiently historical approach. But the main desideratum is a concentration upon the precise conditions in each individual area at different periods: only upon the basis of a whole series of regional analyses can any secure general conclusions be arrived at. Such studies have certainly begun here and there,²⁰ but all too rarely has sufficient attention been paid to the type and degree of exploitation involved – to the class struggle, in fact.

I should like to mention at this point a series of passages in which Marx dealt with the question of rent: I have listed in a note²¹ a few I happen to have come across. Some of these apply specifically to rents within a capitalist system, governed by an economy very different from that which we find in the ancient world; but some are of general significance.

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In I.iii above I referred to some evidence suggesting that in the Roman empire the mainly city-dwelling class of landowners was able to exploit the peasantry and appropriate their products more completely and ruthlessly than most landlords have succeeded in doing – so much so that during famines it was often the cities alone in which food was available, rather than the country districts in which it was grown. I quoted a horrifying description by Galen of the effects of several years of famine in what must be the countryside of Pergamum, and a description by Philostratus of how on one occasion of dearth the landowners had got possession of all available grain, which they intended to export, leaving no food but vetches for sale on the market. We hear occasionally of intervention by the authorities to prevent this kind of profit-making from exceeding all bounds and driving many poor people to starvation. Among the best-known examples is one from Pisidian Antioch in the early nineties of the first century, where an inscription has revealed that the governor, L. Antistius Rusticus, intervening at the request of the city magistrates, ordered everyone to declare how much grain he had, and forbade charging more than 1 denarius for each modius – twice the ordinary price (*A/J* 65a = *AE* [1925] 126b).²² I also alluded in I.iii above to the fact that many times between the mid-fourth century and the mid-sixth we hear of peasants flocking into the nearest city during a famine, in order to obtain edible food, available there and nowhere else. I shall now give seven examples of this situation about which we happen to have some reasonably reliable information.

1. In 362–3 there occurred in the area of Antioch on the Orontes a famine about which we have perhaps more information than any other in antiquity.²³ Its cause was partly harvest failure in Syria, partly the arrival at Antioch in July 362 of the emperor and his court and part of his army, preparatory to the disastrous Persian expedition of March 363. Our sources here include some good contemporary ones: above all the Emperor Julian (who was present in person),

the orator Libanius (a leading citizen of Antioch), and the great historian Ammianus Marcellinus, in whose narrative one particular passage, XXII.xiv.1-2, is especially fascinating for its condemnation of Julian's attempt to fix maximum prices, in terms that would commend it to most contemporary Western economists. The influx of country folk is mentioned by Julian himself (*Misopogon* 369cd). On this occasion, as on others, there is evidence that the local landowners callously hoarded grain for sale at inflated prices; and when Julian arranged for some special imports, from Chalcis and Hierapolis and even Egypt, and fixed a low price, they bought up the grain cheap and either hoarded it or sold it at a profit in the countryside where Julian's maximum price could more easily be evaded.

2. A few years later, probably in 373, we hear from Sozomen and Palladius of a famine in Mesopotamia, in Edessa and its neighbourhood, when the starving poor, tended by the famous ascetic Ephraim (who induced the rich to disgorge), included people from the surrounding countryside.²⁴

3. During a severe food shortage at Rome, perhaps in 376,²⁵ there was a general demand for the expulsion from the city of all *peregrini*, which in this context means all those whose official domicile was not actually Rome itself; and it is clear from our one account of this incident, in St. Ambrose, *De offic. ministr.* III.(vii).45-51, that numbers of country folk would have been involved (see esp. §§ 46,47). Ambrose puts into the mouth of the City Prefect of the time an eloquent speech, addressed to 'the men of rank and wealth' (*honorati et locupletiores viri*), pointing out that if they allow their agricultural producers to die of starvation, the result will be fatal to their corn supply – a piece of evidence that an appreciable part of the corn supply of the city still came from the neighbouring country districts. The speech goes on to say that if they are deprived of their peasants, they will have to buy cultivators – slaves, of course – to replace them, and that will cost them more! A subscription is raised, corn is purchased, and the situation is saved.

4. Shortly afterwards, probably during the urban prefecture of the orator Symmachus in 384,²⁶ there was another food shortage at Rome, and all *peregrini* were duly expelled. It is clear from the passage I quoted in the preceding paragraph from St. Ambrose (§§ 49,51) that many country people were driven out. The saint expresses great indignation that the Romans should eject the very people who provide their sustenance.

5. There was another famine in 384-5 at Antioch, where the supply of corn had been deficient for a couple of years. A speech of Libanius mentions that the country people had come into the city to obtain food because there was none in the countryside (*Orat.* XXVII.6,14).²⁷

6. There was a serious famine at Edessa in 500-1, caused by a terrible plague of locusts in March 500. There is an account of this famine in §§ 38-44 of the very interesting *Chronicle* (surviving only in Syriac) written probably c. 507 by the ascetic generally known today as Joshua the Stylite, who at many points in his work gives precise figures for grain and other prices, and does so in this case.²⁸ Joshua twice mentions the crowds of peasants who came into Edessa to procure food (§§ 38,40).

7. In the Ostrogothic kingdom of Italy, in 536-8, grain from the state granaries at Ticinum and Dertona was sold to the starving people of Liguria, and a third of the stores in the warehouses of Tarvisium and Tridentum was also sold to the inhabitants of Venetia. (Both Liguria and Venetia had been ravaged by the Alamanni.) The first of the three relevant letters in the collection of Cassiodorus (*Var.* X.27; XII.27, 28), giving orders for the opening of the granaries, remarks that it would be shameful for the cultivators to starve while the royal barns were full.²⁹ Again, the exploitation of the peasantry had been severe and effective.

There are some other examples of state granaries plentifully filled with corn while many starved, as in Rome during the siege by Totila and the Ostrogoths in 546, when famine conditions prevailed in the city. The only ample supply was in the hands of Bessas the Roman commander, who made a large personal profit by selling to the rich at the exorbitant price of 7 solidi for the modius, while first the poor and eventually almost everyone, we are told, fed on boiled nettles, many dying of starvation. Bessas continued to profit from selling grain to the rich, until in December 546 Totila suddenly captured the city, and Bessas' ill-gotten gains fell into his hands.³⁰

I imagine that large distributions of food by rich men who were charitably inclined were unknown (see my ECAPS 24-5 ff.) until at least the fourth century, when many of the wealthy were converted to Christianity; and even from then onwards they are likely to have been very rare. The only actual example I have discovered is beyond the scope of this book: Luke, the future stylite saint, is said to have distributed 4,000 modii of corn (as well as animal-fodder) to the starving poor from his parents' granaries in Phrygia, probably during the great famine of 927-8 (*Vita S. Lucae Styl.* 7).³¹

The landowner who was more prosperous than the 'peasant' (as I have defined him: see above) would find it easier to take the advice of Hesiod and lay up an ample store of corn (*WD* 30-2). Ausonius, writing over a thousand years after Hesiod, remarks that he always laid in two years' supply of produce: without this, he says, hunger is near (*De hered.* 27-8).

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The characteristic unit in which peasant life was organised was the village, the most common Greek word for which was *kōmē*.³² Of these *kōmai*, many were situated inside the territory of some city; and some belonged to a handful of absentee landlords, or even entirely to a single proprietor, to whom the villagers paid rents. On the other hand, there were also villages of freehold peasant proprietors. It is impossible to form any idea of the proportion of villagers who were freeholders at any time or in any area of the Greek (or Roman) world, except at certain periods in parts of Egypt from which useful papyrological evidence happens to have survived. The bibliography is vast,³³ and I cannot attempt to give even a summary account, since many important questions are still in dispute, and on some issues I have not yet made up my own mind. I shall confine myself here to a few remarks, mainly about peasant villages in the Later Roman Empire.

Some villages, at least in Syria and Asia Minor, had what appears to have been a democratic form of organisation, headed by a general meeting of the villagers; and – strange as it may seem – it looks as if this democratic form of organisation

may actually have survived in some villages, in parts of Syria at any rate, after all the genuinely democratic elements had perished from the constitutions of the cities throughout the empire (see Jones, *GCAJ* 272).³⁴ The villages had magistrates of their own, sometimes no doubt hereditary, but often elected. (The usual term for the 'head man' of a village, *kōmarchos*, turns up in relation to Armenia under Persian rule as early as 400 B.C. in Xenophon's account of the northward march of the 'ten thousand' across the interior of Asia Minor: *Xen., Anab.* IV.v.10, and 24 to vi.3.) Some of them certainly had a general meeting of villagers which passed decrees like the Assembly of a city: this is referred to in inscriptions by a variety of terms, including the *kōmē*, those *apo (tēs) kōmēs*, the *kōmētai*, the *koinon tēs kōmēs*, the *dēmos* or *ekklesia* or *syllagos* or *synodos*, or even the *ochlos*.³⁵ (The last is rather surprising as an official term, for it had often been used in earlier times in a pejorative sense, to refer to the 'rabble'!) I agree with Jones, against some other scholars, that a council (*boulē*) was the distinguishing mark of a city and is not found in villages,³⁶ which, however, sometimes had a council of elders, called a *gerousia*,³⁷ as of course did many cities. Virtually all our information about village administration comes from inscriptions and is very different to interpret; in particular it is often hard to date the inscriptions. All I can do here is to express the hope that further research will be conducted in this field, in particular (as I said above) with a view to discovering how and to what extent exploitation of the village population was effected. The appearance and the unexpectedly long survival of democratic organisation within the villages is a topic which would also be particularly well worth studying. The development of villages into cities, a not uncommon event, is one of the aspects of village history which has already received a good deal of attention.

In the Later Empire, with which I am now mainly concerned, taxation bore very heavily upon the villages, the great majority of which paid their taxes to collectors appointed by the local city. But in the fourth century some of the bigger landlords (*potentiores possessores*, *CTh* XI.vii.12) acquired the valuable privilege of *autopraxia*: the right to pay their taxes (or at least a considerable part of them) direct to the provincial governor; and they would then be responsible for collecting the taxes due from their tenants. The earliest evidence I have come across of this practice consists of three imperial constitutions, of 383, 399 or 400, and 409 (*CTh* XI.vii.12 and 15; and xxii.4); the last of these uses language suggesting that the practice was already widespread (*quae vulgo autopractorium vocatur*), and in the fifth and sixth centuries it may have done much to increase the power of the great men.³⁸ During the fifth century the right of *autopraxia* was extended to certain villages – how many, we cannot say: only one (as far as I know) can be identified with certainty, Aphrodite (later Aphrodito) in the nome of Antaeopolis in the Thebaid (Upper Egypt), about the affairs of which in the sixth century we happen to be exceptionally well informed.³⁹

Now we must not assume that an 'autopract' village (one enjoying the right of *autopraxia*) would necessarily be in a better position than one inhabited by the tenants of one or more landowners, at any rate if the latter were men of influence, able to protect their own *coloni*. Some of the great men seem to have resented the grant of *autopraxia* to villages, and their hostility might be more effective than the always precarious rights enjoyed in theory by villagers. The need for even an autopract village to adopt the most abject and grovelling attitude

towards important officials is worth illustrating, in a historical perspective.

It will surprise no one to find a humble individual tenant in sixth-century Egypt addressing a petition to his landlord, the wealthy and powerful Apion, in the most submissive and cringing terms:

To my good master, lover of Christ, lover of the poor, all-esteemed and most magnificent Patrician and Duke of the Thebaid, Apion, from Anoup, your miserable slave [*doulos*] upon your estate called Phacra (*P. Oxy.* I. 130).

That is the way in which any *colonus* in the Later Roman Empire might find it prudent to address a great and powerful man, and it must not be assumed that only native Egyptians would be likely to address their superiors in such terms: it is simply that Egypt is the one area from which papyri survive, recording petitions of such a kind. Indeed, as Sir Harold Bell has remarked (*EAGAC* 125), there is a striking contrast between petitions like that of Anoup and earlier Egyptian ones of the Ptolemaic period, like one which he quotes, from a minor village official, of the year 243 B.C., preserved in *P. Hibeh* 34:

To King Ptolemy, greeting, from Antigonos. I am being unjustly treated by Patron, the superintendent of police in the lower toparchy.

And Bell comments, 'It is a minor official in a village of Middle Egypt petitioning the all-powerful King Ptolemy III Euergetes; yet he addresses the king without servility or verbiage, as man to man.' I will add another petition, of 220 B.C., from an even more humble person, a working woman:

To King Ptolemy [IV Philopator], greeting from Philista, daughter of Lysias, resident in Tricomia [a village in the Fayum]. I am wronged by Petechon. For as I was bathing in the baths of the said village, and had stepped out to soap myself, he, being the bathman in the women's rotunda and having brought in the jugs of hot water, emptied one(?) over me and scalded my belly and my left thigh down to the knee, so that my life was in danger . . . I beg you, O king, if it please you, as a suppliant who has sought your protection, not to suffer me, a woman who works with her hands, to be thus lawlessly treated

– and so forth (Hunt and Edgar, *SP* II no. 269 = *P. Enteuxis* 82 = *P. Magd.* 33).

Let us now go forward again nearly eight hundred years and return to the mid-sixth century of the Christian era, to look at a petition from the village of Aphrodito (mentioned above), dated A.D. 567, which is the subject of a most instructive discussion by Bell (*EVAJ*), and has also been studied by other scholars (see n.39 again). The submissive and even servile attitude of the villagers would have been unthinkable in a petition made by a city at any period of Graeco-Roman antiquity. It is true that the petition was drafted by one Dioscorus, son of Apollōs, a notary and man of affairs who had unfortunate literary pretensions and 'achieved the distinction, for what it was worth, of being the worst Greek poet whose works have come down to us' (Bell, *EAGAC* 127–8).⁴⁰ But such a person should have known exactly the right language to use to a great man.

To Flavius Triadius Marianus Michael Gabriel Constantine Theodore Martyrius Julian Athanasius, the most renowned general and consular and most magnificent Patrician of the Prefect Justin, Duke and Augustal of the Thebaid for the second year. Petition and supplication from your most pitiable slaves,⁴¹ the wretched small-owners and inhabitants of the all-miserable village of Aphrodito, which is under the Sacred

Household and your magnificent authority. All justice and just dealing for ever illuminate the proceedings of your pre-eminently excellent and magnificent authority, which we have long expected as the dead in Hades once awaited the coming of the Christ, the everlasting God. For after him, our master God, the Saviour, the Helper, the true and merciful Benefactor, we set all our hopes of salvation upon your Highness, who are among all men praised and bruited abroad, to help us in all our emergencies, to deliver us from the assault of unjust men, and to snatch us out of the unspeakable sufferings, such as no paper can contain, which have from the beginning befallen us at the hands of Menas, the most illustrious *scriniarius* and pagarch of Antaeopolis. We humbly recall your all-wise, most famous and good-loving intelligence, but it reaches such a height of wisdom and comprehension (beyond the limited range of words to express) as to grasp the whole with complete knowledge and amendment [the sense is a trifle obscure here]; whence without fear we are come to grovel in the track of your immaculate footsteps and inform you of the state of our affairs

– which the villagers then at last proceed to do (*P. Cairo Masp.* I.67002, in Bell's translation, EVAJ 33; cf. EAGAC 126).

As this complaint was directed against misbehaviour by the pagarch (the imperial official in charge of the area, under the provincial governor), it is relevant to recall that in an imperial rescript to the *dux* (the military governor) of the Thebaid, as a result of a complaint from the very same village some sixteen years earlier (c. 551), Justinian had remarked of the then pagarch Theodosius that 'his intrigues [*peridromē*] proved stronger than our commands'! (*P. Cairo Masp.* I.67024.15–16). I have much more to say about misconduct by Roman officials in VIII.iv below.

I can do no more than just mention here two very interesting forms of rural patronage, which were more formalised than the innumerable resorts we come across in Later Roman sources to that form of protection, often involving what is called 'suffragium' (see my SVP, esp. 45). One of these two types of rural patronage appears in the second half of the fourth century and the fifth, partly as a result of the growth under Diocletian and Constantine and their successors of the practice of giving the military command in a particular area (a province, or more usually a group of provinces) to an individual separate from the provincial governors and known as the *dux*. This division of authority was cleverly utilised and turned into a weapon of class struggle by many peasants, at least in Egypt and Syria (from which all our evidence comes): groups of peasants, and sometimes whole villages collectively, placed themselves under the patronage of their *dux* (or some other powerful man), and with his help – sometimes involving the use of his soldiers – resisted demands made upon them for rent or taxes or both. This practice was resorted to by peasant freeholders as well as by tenant farmers, *coloni*. Both could use it against tax collectors (usually decurions and their agents, who were responsible to the provincial governor; cf. VIII.ii–iv below), and tenants in addition against their landlord and his rent collectors. How effective this device could be in both cases is well illustrated by Libanius' *Oration XLVII, De patrociniis*, and by a series of imperial laws fulminating against such practices (*CTh XI.xxiv*; *CJ XI.liv*).⁴² Unfortunately for the peasants, the patronage of a great man was not something that could be acquired for nothing, and the wretched creatures may often have had to pay dearly for it. In the East, though apparently not in the Western part of the empire (see Jones, *LRE* II.775 ff., at 777–8), the government legislated against patronage and threatened to inflict

heavy penalties on the patrons concerned (see *CTh XI.xxiv.2 ff.*; *CJ XI.liv.1–2*). The second of my two developed forms of rural patronage appears most clearly in Salvian, a Gallic priest writing in the second quarter of the fifth century. Here we see something that makes us think of what was to occur in many places during the Middle Ages: peasant freeholders threatened by extortionate taxation (on which Salvian lays most stress), or by barbarian incursions, surrendered themselves to some great neighbour, who could give them protection – of course, at the cost of their land, which was ceded to the patron, the peasants becoming his *coloni* (*De gubernat. Dei* V.38–45). Both types of patronage I have been describing could involve a heavy price. However, some peasants evidently thought the price worth paying, as a protection against even more burdensome exactions. The patronate, oppressive as it must often have been, seemed to many desperate men better than unprotected freedom (especially dangerous to freeholders), accompanied by the unchecked activities of the dreaded finance officials, soldiers, billeting officers, and those who imposed compulsory labour. (I shall return in Chapter VIII below, Sections iii and iv, to the exploitation of the peasantry in the Greek world in the Later Roman Empire.)

Outright land-grabbing by the powerful at the expense of the humble, whether as a result of direct appropriation or of foreclosure on what we should call mortgage, is a phenomenon that can be seen from time to time, but is not the sort of thing of which our sources take much notice. Except in those Greek democracies where the poor man could obtain effective protection from the courts of law (cf. V.ii–iii below), the process must have gone on throughout antiquity. Administrators of ecclesiastical property were no exception: a letter of Pope Gregory the Great to the *rectores* of the estates of the Roman Church in Sicily in 591 orders the restitution of 'the properties of others which had been seized by Church administrators' (*de rebus alienis ab ecclesiasticis defensoribus occupatis*: *Ep.* I.39a, § II). Such ecclesiastical administrators might also subject hapless *coloni* to severe exploitation and unjust treatment, from which only the bishop could save them, if he cared to exercise his authority in the cause of mercy, or even justice. Cheating tenants by the use of fraudulent measures was very common. In A.D. 603 we find Pope Gregory writing to a notary, Pantaleo, of his indignation at the discovery that certain *coloni Ecclesiae* had been obliged to hand over their produce according to a *modius*-measure containing no fewer than 25 *sextarii* instead of the proper 16: he expresses his pleasure at the news that Pantaleo has now broken up the iniquitous measure 'et iustum fecisse' (*Ep.* XIII.37). It would be interesting to know how many *sextarii* the new 'modius iustus' contained, in view of Gregory's order, in another letter (to Peter, a Sicilian subdeacon, *Ep.* I.42), that the *rustici Ecclesiae* were not to be compelled to hand over their produce according to a *modius*-measure containing more than 18 *sextarii*! Again, the charming *Life of St. Theodore of Sykeon* (an almost exact contemporary of Pope Gregory) describes how the peasants of the estates of the Church of Anastasiopolis in Galatia were constantly harried by Theodosius, a leading man of the city who had been appointed chief administrator of the Church lands, to the point at which they were driven to resist him by force. St. Theodore, now bishop of Anastasiopolis (in the last years of the sixth century), threatened to sack Theodosius, who persisted strenuously until he was persuaded to yield obedience to his bishop, by one of those miracles which are more frequent

in the hagiography of the Early Church than they are likely to have been in reality.⁴³ One other document is worth quoting here, although it relates to a private estate and not to Church property: it is a letter written by St. Augustine (*Ep.* 247), in sorrow and anger, to a landowner who was one of his flock, rebuking him for allowing his agents (*actores*) to oppress his tenants (*coloni*, § 1; *rusticani homines*, § 3), apparently by extracting their rents twice over. Augustine refers repeatedly to the tenants as 'poor and needy men' (*miseri et pauperes* . . . , *miseri et egeni homines*, § 1; *homines miseri*, § 4). I will only add a reference to a famous passage from a sermon by St. John Chrysostom, of which there is a convenient translation in C. E. Stevens's chapter in *CEHE* 1², 123-4: this illustrates vividly the merciless treatment of their peasants by the landowners of Antioch.⁴⁴

(iii)

From slave to *colonus*

In this book I have singled out a propertied class in the ancient Greek world the members of which were leisured, in the sense that they were not obliged to devote themselves to the labour of providing for their own sustenance to any appreciable degree, even if they sometimes occupied themselves for short periods in the productive process in a supervisory capacity (see III.ii-iii above). I have also emphasised more than once that such a propertied class can exist only if its members exploit the labour of others, whether as unfree labour or as wage-labour, to the extent necessary to provide themselves with a surplus sufficient to support their leisured existence. I have argued (in II.iii and III.iv above) that we may speak of the Greek (and Roman) world as (in a loose sense) a 'slave economy' or 'slave-owning society', because the propertied class derived the bulk of its surplus from unfree labour, mainly that of slaves, although various forms of what we may properly call serfdom were also known, and debt bondage too was widespread (see III.iv above). In thus characterising the ancient Greek world loosely as a 'slave economy', however, I have not ignored the fact that there were always large numbers of free men and women, mainly peasants, living not much above the subsistence level, who were exploited by the ruling class to a greater or less degree, to some extent individually and directly (the leasehold tenant by his landlord and the freeholder by his mortgagee, for example), but partly through what I have called 'indirect and collective' forms of exploitation, such as taxation, military conscription, and compulsory services (see Sections i and ii of this chapter).

I have now to discuss the important change which came over the Graeco-Roman world by slow degrees during the first three centuries of the Christian era: a change in the *forms of exploitation*, involving no sudden or radical alteration until the end of the third century but a slow progression, in very varying degrees and at very different speeds in different areas. The subject is extraordinarily complicated and difficult, and every assertion, if it is to be strictly accurate, needs to be hedged about with qualifications. But I have no space here to give anything like a full-scale account, and I propose to plunge straight into the heart of the matter and make a series of statements designed to convey the essentials of the process I have in mind, without many of the qualifications which are ideally necessary. 'Those who are unfamiliar with the mass of literature dealing with the vexed question of the

origin of the "colonate" heaped up by the industry and ingenuity of scholars since the time of Savigny will probably turn with impatience from a fresh attempt to give a satisfactory answer', said Henry Francis Pelham in his Inaugural Lecture as Camden Professor of Ancient History at Oxford, as long ago as 1890: see Pelham's *Essays* [on the spine: *Essays on Roman History*] (1911) 275. I wish to emphasise that what follows is an oversimplification, and that there were far more differences (above all in the rate of change) between areas than I am able to bring out here. I hope to be able to deal with the subject in a more satisfactory way in a few years' time. To make cross-referencing easier, I shall proceed by numbered paragraphs.

* * * * *

1. We know all too little of the details of the economy of the vast majority of Greek states in the Classical period, to which I must go back for a moment. At that time, at Athens and most of the other leading states of which we know anything, it was slaves principally who provided the propertied class with its surplus (see III.iv above and Appendix II below); but purely local varieties of serfdom existed here and there (especially the Helots of the Spartan area and the Thessalian Penestai), and free peasants also contributed, more especially no doubt in non-democratic cities, where the poor man would have far less chance of protecting himself against the depredations of the powerful and could more easily be exploited by the ruling class (see II.iv above and V.ii-iii below). Now the most extraordinary fact about Greek (and Roman) slaves is their cheapness:¹ in particular, at Athens, one could apparently buy an average slave in the late fifth century (and probably most of the fourth) for 200 drachmae or less – not much more than half what an artisan would earn in a year. Later, prices were not nearly so low. The comparison with American slaves in the Old South before the Civil War (about whom, of all slave populations, we know most) is astounding: in the first six decades of the nineteenth century 'prime farm hands' could be sold for several hundred dollars, going up in the 1850s to not far short of \$2,000; and a skilled artisan such as a blacksmith could fetch \$2,500. Agricultural slaves were commonly hired out, over the year, at between ten and twenty per cent of their market value, artisans often at 25 per cent (Stampp, *PI* 414-18). At the same period the annual cost of feeding a slave could be put at between \$7.50 and \$15.00; and the total yearly cost of maintaining him 'seldom exceeded \$35.00, and was often considerably less than this' (*ibid.* 406-7). The fact that mid-nineteenth-century American slaves were relatively many times as costly to buy as fifth/fourth-century Athenian ones was of course due primarily to the large and expanding foreign market for American cotton. (For the remarkable growth in the world demand for cotton between 1820 and 1860, and its important effects on the economy of the Old South, see esp. Gavin Wright, as cited in n.8 below.)

The great majority of Greek slaves in the Classical period were imported 'barbarians', among whom Thracians were particularly prominent.

2. In those parts of Asia Minor and Syria which were brought into the Greek world from the late fourth century onwards, with the conquests of Alexander and the many city-foundations of that monarch and his successors, slavery already existed; but the institution was not nearly as developed as in the Greek

world, and it seems likely that a far larger place was occupied than in Old Greece by other forms of exploitation: occasionally outright serfdom and debt bondage, but also exploitation of free or semi-free peasants through rent and tributary payments and a variety of compulsory services: *angariae* and the like (see I.iii above). I see no reason why the process which had begun in the Hellenistic period should not have continued in these eastern districts when they became Roman provinces – sometimes after periods as ‘client kingdoms’, a condition which was very likely to increase the grip of the propertied classes on the peasantry. Even if actual serfdom steadily receded in the Hellenistic and Roman periods (as I have argued it did: see III.iv above), the increased exploitation of the peasantry which would be the necessary result of Roman tribute and other new exactions (including the often large profits made by provincial governors and their staffs, and Roman or local tax-farmers) must have driven some small peasants into outright slavery or debt-bondage and converted others from freeholders into tenants or landless labourers, some of whom might tend to drift into the towns. The Greek propertied classes certainly went on drawing considerable profits from the peasantry in rents, taxes and services, even if many of them were made to disgorge part of these profits for the benefit of the Romans. Greeks and Romans coming to Asia who were accustomed to employ slave labour at home would naturally make use of it in their new abodes, except perhaps where a native population was already by custom subjected to very severe exploitation, thereby making it hardly worth while to import slave labour. There seem to be no figures from Asia for large slave households to equal the 200 slaves and freedmen ascribed to Python of Abdera in Thrace in 170 B.C. by Diodorus XXX.6 – a figure which (for what it is worth) presumably includes only male slaves of military age, for they are said to have taken part in defending the city against the Romans.

Egypt, Ptolemaic and Roman, is a special case: here chattel slavery never seems to have played a very important role in production, at least agricultural production; but the peasants, who formed the vast majority of the population, were apparently in a very subject condition and, although they were technically not slaves and most of them could not be described strictly as serfs, many of them seem to have been in a condition near to serfdom (see III.iv above). The general impression we derive is that much labour in Egypt was not fully free. The very fact that there was relatively little chattel slavery is likely to have necessitated a higher degree of exploitation of the humbler free men.

3. In the late Roman Republic a series of foreign wars and civil wars provided an ample supply of cheap slaves for the Mediterranean slave markets: the Greek island of Delos in particular was such a market, and we are told by Strabo, probably with much exaggeration, that ‘tens of thousands of slaves’ could be imported there and exported again on the same day (XIV.v.2, p.668). With the beginning of the Augustan Principate (c.30 B.C.) and the relative peace that followed, from the reign of Tiberius (14–37) onwards, the number of slaves that were simply appropriated from outside the Graeco-Roman economy, or brought within it by purchase at very cheap rates, soon began to decline, even if from time to time an occasional slave-haul either brought in a new batch of ‘barbarian’ captives or (as on the suppression of the Jewish revolt in A.D. 70) reduced to slavery men

who had previously been Roman subjects of free status. The Graeco-Roman world certainly acted as a magnet, attracting to itself anyone capable of work who was enslaved or captured in war in a neighbouring area. Thus we hear from Tacitus of an auxiliary Roman cohort of German Usipi who, after being sent to Britain, mutinied in 83 and went off on a piratical expedition around the island (during which they even resorted to cannibalism), but were eventually captured on the north coast of Europe, ‘sold to traders, and after passing through the hands of various masters, were brought across to the left bank of the Rhine’, thus entering the Roman world as slaves (Tac., *Agric.* 28, esp. § 5: ‘per commercia venundati et in nostram usque ripam mutatione ementium adducti’).

4. There had always been some breeding of slaves, even in Italy as well as in the Greek areas. The author of the Pseudo-Aristotelian *Oeconomica* I (5, 1344^b17–18) had actually advised allowing slaves to breed, but for him the usefulness of the practice lay in the fact that it was a means of providing hostages from the slaves themselves, in the form of their children! Similarly, planters in the American Old South ‘did everything possible to encourage the slaves to live together in stable units; they realised that a man was easier to control if he had a wife and children to worry about’ (Genovese, *RB* 12).

I know of no decisive proof that after the fifth and fourth centuries B.C. the breeding of slaves in the Greek area began to play a steadily increasing role; but that is the inference I would draw from the scanty evidence, which includes more frequent references to home-bred slaves (most usually *oikogeneis*, Latin *vernae*). The best piece of evidence I know is that of the Delphic manumission inscriptions,² as analysed by Westermann, *SSGRA* 31–3. (I have not been able to make a fresh analysis, taking into account some inscriptions published after the appearance of Westermann’s book in 1955;^{2a} and having regard to the serious unreliability of that book at many points³ I would emphasise that the figures given here should be treated as approximate only.) If, with Westermann, we separate these inscriptions into three groups, covering roughly half a century each, namely 201–153 B.C., 153–c.100 B.C., and c.100–c.53 B.C., we find a marked increase in the proportion of home-bred slaves in the second group (153–c.100) as compared with the first, and a further increase in that proportion in the third group (c.100–c.53) as compared with the second. I will give the figures for home-bred slaves for each period, for what they are worth, first as a percentage of those manumitted slaves in their group whose origins (as home-bred or not) are known, and then, in brackets, as a percentage of all manumitted slaves in their group (including those of whose origin nothing is known):

- (1) B.C. 201–153: 32% (13%)
- (2) B.C. 153–c.100: 63% (47%)
- (3) B.C. c.100–c.53: 89% (51%).

On the basis of these figures we are presumably justified in inferring an increase in the proportion of home-bred slaves owned by those who manumitted their slaves at Delphi, and who came mainly from Delphi itself or (in the first of the three periods) from cities nearby.⁴ We must of course remember that the area in question was something of an industrial backwater, not to be compared with the larger cities such as Athens and Corinth, although perhaps for that very reason

it is not untypical of the agricultural areas of Greece. And it would be very wrong to draw any conclusions about the total number of slaves in the respective periods, even within the restricted area of Delphi and its neighbourhood, for the practice in manumission may well have changed in various ways during the years in question. However, I feel sure that the proportion of home-bred slaves in mainland Greece did grow during the second and first centuries B.C., if only for the reason shrewdly pointed out by Westermann (SSGRA 34), that there must have been 'a westward movement of most of the *marketed* slaves' between the mid-second century and the mid-first, into the Roman rather than the Greek area.

In 146 B.C., according to Polybius (XXXVIII.xv.3), Diaeus, the general of the Achaean League, sent out orders to the cities which were members of the League, telling them to free and arm (for the forthcoming war with Rome) and send to Corinth those of their slaves who had been born and brought up in their homes (*oikogeneis kai paratrophoi*) and were of military age, to the number of 12,000. This figure was given by Diaeus himself;⁵ he made an assessment on each city separately, ordering that those which had insufficient home-bred slaves should fill up their quotas from their other *oiketai* (ibid. 4-5). The figure of 12,000 is a striking testimony to the increase in the breeding of slaves which, as I have suggested, had been going on in Greece during the third and second centuries, and was to continue. As we shall see presently, this breeding of slaves is the decisive factor in the development we are considering: a gradual change in the forms of exploitation in the Graeco-Roman world, involving heavier pressure upon the free population, and the greatly increased use of letting to tenants in place of the direct working of the estates of the well-to-do by slave labour.

5. I must make it clear at this point that my argument is not affected by the conclusions of Michael H. Crawford, in his very interesting and able article in *JRS* 67 (1977) 117-24 (esp. 123). It is true, as he points out (121), that Italy had suffered severe losses of slave manpower in the revolt of Spartacus in 73-71 B.C. (when over 100,000 slaves are said to have been killed);⁶ that Pompey's suppression of piracy in the eastern Mediterranean in 67 B.C. must virtually have ended the kidnapping and slave-raiding organised by the pirates; and that in 63 B.C. the inclusion of vast new areas within the Roman empire will have made them no longer available, in theory anyway, as a source of slaves. I accept his suggestion that the large numbers of Republican coins found in hoards in the lower Danube basin in modern times (something like 25,000 in Romania alone) may well be connected with the slave-trade and should be dated to the middle or late 60s onwards, with a slackening off in the 50s, presumably due to Caesar's mass enslavements in Gaul (perhaps of the order of half a million),⁷ and a renewed increase in the 40s and 30s. However, the fact remains that any slaves coming in at this time from the Danube area were not war-captives of the Romans and will have had to be bought (and the costs of their transport for a considerable distance paid for) by the traders who brought them to their destinations, and therefore ultimately by the purchasers who used them. We have no information of any kind about the prices at which they were eventually sold. They can have done no more than fill a gap in the supply of slaves. I may add that many enslavements of war captives *en masse* must have profited

above all the Roman generals whose booty they had become, and who would have sold them off at the highest price they could get. But one would expect relatively low original prices for slaves sold in thousands or even in hundreds; and of course the sums involved would remain within the Roman economy, by which the slaves were simply appropriated.

6. It is here that I wish to draw, in three stages, an important conclusion, strangely neglected in every modern discussion I have seen (even Weber's, mentioned in § 13[a] below), but (it may be thought) obvious enough once it is stated. I shall first summarise this conclusion and then discuss various parts of it.

(a) If slaves are to be induced to breed in large quantities, they certainly cannot be kept in barracks, as were many agricultural slaves in antiquity, not only (as is well known) in late Republican Italy but also – to some extent – in Classical Greece, for example at Athens: see e.g. Xenophon, *Oecon.* IX.5, where the male and female slaves have separate quarters (the *andrōnitis* and *gynaikōnitis*) and cannot breed without their master's permission. Indeed, if they are to enjoy the relatively stable family life which (as slave societies have often found) is most conducive to reproduction on a large scale, they should ideally be settled in small 'cabins' and allowed to become what we should call – if only they were free rather than servile – tenants, peasant families (cf. § 12 below).

(b) Treating slaves in this way, however, is likely (and this is my essential point, which has been generally overlooked) to *lower the rate at which they can be exploited*, for the female slaves at least will have part of their time and energy diverted from normal work to bearing and rearing children, and – what is more important – with high rates of mortality, many slave mothers will die in childbirth, and those of the children (a large proportion, in antiquity) who do not live to an age at which they can give a good day's work will be a dead loss (see § 8 below). A domestic servant-girl could be thought a nuisance if she had a child to nurse (Hesiod, *WD* 602-3). For breeding purposes it is necessary, too (if stable family units are desired), to establish a fairly equal sex-ratio, in place of the large excess of male slaves which seems to have been a feature of many slave-importing societies, notably Italy in the late Republic – doubtless because more profit could be made out of males than females. *Breeding slaves inside the economy*, then, instead of mainly bringing them in from outside, either cheap or even (as a consequence of the enslavement of war captives) virtually gratis, *necessarily imposes a greater burden on the economy as a whole*, especially in a society like that of ancient Greece (and Rome), with a high infant and maternal death-rate (cf. § 8 below).

(c) The inevitable consequence is that *the propertied class cannot maintain the same rate of profit from slave labour*, and, to prevent its standard of life from falling, is likely to be driven to *increase the rate of exploitation of the humbler free population* – as I believe the Roman ruling class now actually did, by degrees: see below, and VIII i-ii.

7. Perhaps I should make it clear at this point (although it is obvious enough) that we need not concern ourselves with the general question whether slaves can in principle be 'profitably' bred inside an economy – that is to say, whether an economy which has to breed all or most of its slaves can go on flourishing. That

question simply does not arise here, because we are dealing throughout with one particular economy, and what we are considering is the *relative* profitability, for that economy, of importing cheap slaves, and breeding them internally. The general question I have referred to is not one that can be answered *a priori*: much may depend on particular circumstances, above all the relation of the economy in question with the outside world. In certain places (some of the islands in the West Indies, for instance) the impossibility of importing slaves may have been responsible for a marked decline in the economy, and even the disappearance of slavery. Opinions differ about the healthiness of the economy of the American Old South just before the Civil War, but at least it is clear that the antebellum South had large overseas markets for its major products: cotton above all, in the nineteenth century; earlier (on a much smaller scale) tobacco, and to a less extent sugar.⁸ The Graeco-Roman world as a whole certainly had no large predominance of exports over imports. Indeed, by the early Principate it was importing luxury articles from the East on quite a large scale: pepper and spices, pearls, silken clothing, ivory too from Africa and amber from Germany. According to statements made by Pliny the Elder in two different passages, the trade in luxuries created an annual drain in cash of HS 50 million to India and as much again to China and Arabia combined (NH VI.101; XII.84). The payment of subsidies to 'barbarian' chiefs and kings, mainly in gold, grew to great proportions in the fifth century; and even before that the Roman government became anxious enough about the outflow of gold to issue in 374 (or a few years later) a constitution forbidding payments to 'barbarians' in gold (for slaves in particular, it seems), and adding that if any gold happened to be discovered among them, it ought to be 'got away from them by some subtle stratagem' (*subtili auferatur ingenio*: CJ IV.1xiii.2). All this, however, is irrelevant to my present theme.

8. A major recent work tries to calculate the point at which the average planter in the American Old South about 1850 'broke even' on his investment in slaves: that is to say, reached the point at which he began to make a profit on his total expenditure, after making all necessary allowances, including of course the premature death of many slave children. It is of great interest that according to this calculation the critical point was the attainment by the slave of the age of 27 – to which, incidentally, fewer than half the slaves at that time survived, although the general life expectation of United States slaves then 'exceeded the break-even age by more than a half decade' (Fogel and Engerman, *TC* I.153–7). A direct comparison with the Graeco-Roman world can hardly be attempted, as there are too many unknowns there: the expectation of life of the ancient slave; the standard of life he was allowed by his master; the comparative incidence of disease, and so forth. But at least we can say with some confidence that whatever the figures were for the ancient world, they were probably even worse, and certainly no better, than those for the American Old South. I agree with Keith Hopkins's conclusion that in the Roman empire

life expectancy at birth was probably under 30, with infant mortality above 200 per thousand; for this has been generally true of pre-industrial populations and correlates with the predominance of agriculture, low average income, and scarcity of doctors and of useful medical knowledge, which together distinguish the Roman empire and other pre-industrial societies from modern industrial societies (PASRP 263).⁹

The American figure, even if it is too high, may serve as a warning that in a slave economy which has to rely entirely, or even mainly, on internal breeding of slaves, and moreover has no such extensive export markets for its products as had the antebellum South, the margin of profit on the exploitation of slave labour may be much narrower than we might be tempted to assume. And in any event, the expectation of life of the Greek or Roman slave is likely to have been below the average for the population as a whole, and well below that of the American slave c. 1850; and the 'break-even age' will then have been correspondingly high.

It would be interesting to know at what age a young slave in the Graeco-Roman world was generally believed to change from being a burden on his master to being an asset, who could more than earn his keep. The only specific evidence that I know on this question is a rule appearing in the collection of laws codified in 654 in the Visigothic kingdom in Spain and south-west Gaul and known as the *Leges Visigothorum*: this deals with the infant abandoned by his parents to someone else to bring up and known in the Greek world as a *threptos*.¹⁰ Such a child, until Justinian changed the law, became in effect the slave of the person who brought him up.¹¹ The Visigothic law allowed the child to be reclaimed on payment of one gold solidus per year for the cost of his maintenance, up to a maximum of ten: after the age of ten the child was supposed to have earned his keep (*quia ipse, qui nutritus est, mercedem suam suo potest compensare servitio*, IV.iv.3).¹² We may compare this law with two issued by Justinian, in 530 and 531 (CJ VII.vii.1.5–5b; VI.xliii.3.1), putting values (for technical reasons arising out of bequest and manumission) on various groups of slaves, in which those under ten years of age are treated separately and valued at ten solidi (or thirty, if eunuchs). A statement by Ulpian shows that Roman lawyers considered a slave to have some value provided he was not physically feeble or unable to provide services for his master, and was at least five years old; but it was also stipulated that in establishing the slave's value (in certain legal actions) 'necessary expenses' should be deducted (*Dig.* VII.vii.6.1.3).

9. It is difficult to trace the details of the introduction of slave-breeding on a large scale in the Greek and Roman world. In this field I am obliged to have regard mainly to Italy, because I know of no sufficient evidence from any other area; but I believe I am entitled to treat the process that took place there as characteristic in some degree. We can surely at least assume that if a diminution in the supply of slaves from outside the economy became noticeable in Italy itself, it is likely to have been felt more strongly in other parts of the Graeco-Roman world. Indeed, in areas other than Italy (and Sicily) the process of transition from using mainly imported 'barbarian' slaves, procured by capture or purchase, to breeding the bulk of them at home is likely to have taken place rather earlier and to have gone further than in Italy, unless perhaps slaves happened to be available in exceptionally large quantities nearby, owing to the presence of a major slave-market such as Delos (see above). In areas where slaves had not been available in large quantities and at low prices, of course, the process I am describing may have been very much less marked, because slave-worked estates are not likely to have predominated to anything near the same degree as in Italy, and a larger share of total production will have been in the hands of peasants, whether serfs, leasehold tenants or small freeholders.

I must mention at this point, for the benefit of those unacquainted with the Roman fiscal system, that Roman territory in Italy long enjoyed a special privilege: exemption from the payment of land tax and poll tax. *Tributum*, in the original sense of the word (an occasional capital levy), was levied in Italy down to 168 B.C. only. After that, Roman land in Italy paid no land tax (*tributum soli*), and poll taxes (*tributum capitis*) were levied only in the provinces. A few Roman towns in the provinces received a grant of *immunitas* (a privilege also retained by only a handful of Greek cities), and even fewer enjoyed the special privilege of 'Italian rights' (*ius Italicum*), putting them on the same footing as Italy itself. For some time under the Principate these privileges were very valuable, and land in Italy (and in the few provincial cities with their territories enjoying *immunitas* or *ius Italicum*) must have yielded an exceptionally large profit to its owners and thus have had an inflated value. But by degrees *tributum* became insignificant compared with the growing system of requisitions in kind (*indictiones* etc.), theoretically in return for payment but becoming increasingly uncompensated; and by the late third century, when Diocletian abolished the privileges of Italy and of the cities possessing *immunitas* or *ius Italicum*, those privileges had become relatively unimportant.¹³

10. It looks as if women and children were not widely used as slaves in Italy during the Republican period, and in particular were not put to use in Italian agriculture nearly as much as they were in the American Old South or in the West Indies or Latin America. Conclusions by Jonkers and Brunt, from the legal texts and the Roman agronomists, strongly suggest that after the end of the Republic the sex-ratio among slaves began to grow more equal, and that slave-breeding played a much larger part in the economy.¹⁴ One factor that may have militated to some small extent against the general use of female slaves in the actual operations of agriculture in the Graeco-Roman world was the existence, even in the highest circles, of superstitious ideas about women in general. Columella believed, for example, that if a woman during menstruation touched a shrub of rue it would wither, and that young cucumber shoots could be killed if such a woman so much as looked at them (*RR* XI.iii.38, 50). The Egyptian Greek writer Bolus of Mendes, in the third century B.C., some of whose works circulated under the name of Democritus (cf. *ibid.* VII.v.17), did little to restore the balance by describing how a menstruating woman could kill caterpillars by simply walking around the infested plant three times with loose hair and bare feet (*ibid.* XI.iii.64). In Greek and Roman literature, women are generally seen as busying themselves in the house, while the men work in the fields: Columella has an impassioned statement of this view (*RR* XII.Praef.1-7), taken directly from Xenophon's *Oeconomicus* (VII.23-42, esp. 23, 30), which had been translated into Latin by Cicero; and he proceeds to describe at length (XII.i.1 to iii.9) the duties of the slave housekeeper (*vilica*, generally mated with the slave overseer, the *vilicus*). Yet an isolated passage in Columella seems to me to prove that he expected women slaves to be working in the fields provided it was not raining and the weather was not too cold or frosty (XII.iii.6). (I need make no apology for referring so often to the Roman agricultural writers, since their advice was largely based upon handbooks either written in Greek or dependent

on Greek sources – this is true to some extent even of the work of Mago the Carthaginian, translated into Latin by order of the Roman Senate: see *Col.*, *RR* I.i.10, 13 etc.)

Although I realise that it can be dangerous to use isolated literary texts to prove a historical progression, I think that if we look at statements bearing on slave breeding made successively by the first three leading Roman agricultural writers whose works survive, namely Cato, Varro and Columella, we shall see a faithful reflection of the actual developments in Italy. Cato, who died in 149 B.C., never refers to the breeding of slaves in his handbook on agriculture; and indeed he never so much as mentions female slaves in that work, except when he speaks of the slave housekeeper, the *vilica* (*De agricult.* 10.1, 11.1, 56, 143), whom he contemplates giving as a 'wife' to the overseer, the *vilicus*, also a slave. Plutarch, however, in his *Life of Cato*, says that he used to allow his male slaves to have sexual intercourse with their female fellow-slaves for payment (to himself, of course: *Cato mai.* 21.3); and these encounters must have resulted in occasional conceptions, for we also hear from Plutarch that Cato's wife used to suckle the babies of her slave-girls, in the hope that this would make them well-disposed towards her own son, their future master (*ibid.* 20.5). Varro, writing more than a hundred years later, in 36 B.C., contemplates the breeding of slaves in two contexts only. First, he seems willing to allow *pastores* (shepherds and herdsmen) to have mates. If they are living in the farm-complex itself (the *villa*), then, as Varro charmingly remarks, 'Venus Pastoralis' will be satisfied if they have a slave-mate there. He also records a prevalent view that if the *pastores* are more remote and live in huts on their own, it is no bad thing to provide them with women, who will be able to share their work (*RR* II.x.6 ff.; cf. i.26). But Varro first discusses the purchase of *pastores*, which he seems to consider the normal method of procuring them (x.4-5). Secondly, when he is writing about slaves doing agricultural work on the farm itself, he advises giving female fellow-slaves as mates to overseers only (*praefecti*, slave-drivers), to bear them children and thus make them 'more reliable and more attached to the farm' (*firmitiores et coniunctiores*: *RR* I.xvii.5). In the same passage, however, Varro happens to remark that slaves from Epirus (a Greek-speaking area) were valued more highly than any others at the time because of the family relationships (*cognationes*) they were able to develop. Evidently whole families of Epirot slaves were already being sold as units and would give exceptionally good service if permitted to retain that unity. A leading equestrian of the last century B.C. (110-32), T. Pomponius Atticus, the friend and correspondent of Cicero and a very rich man who owned large numbers of slaves, is said by his friend and biographer, Cornelius Nepos, to have kept not a single slave who was not born and trained in his own house (*domi natus domique factum*); Nepos takes this as a demonstration of Atticus' *continentia* and *diligentia*, and it was evidently exceptional at the time (*Att.* 13.3-4). Later writers who refer to slave-breeding in the Republic may be introducing anachronistically a feature of the economy of their own day, as when Appian, speaking of the middle period of the Republic, says that 'the ownership of slaves brought the rich great profit from the many children of the slaves, whose number increased without hindrance because they were exempt from military service' (*BC* I.7).

Columella, writing about a hundred years later again, in the 60s or 70s of the

first century of the Christian era, is keen to have home-bred slaves: he advocates rewarding female slaves for bearing children and adds that he himself has been accustomed to give exemption from all work to any woman who has born three sons, and for any further ones, freedom (RR I.viii.19; cf. Salvius Julianus, in Dig. XL.vii.3.16, cited below). Nothing is said about daughters, who seem to be excluded, as the word I have translated 'children' is *natos* (the masculine form, although I think that form could include girls as well as boys), and the three or more who will earn for the woman exemption or freedom are *fili* (masculine again). It is just possible that offspring of either sex are meant, but had Columella intended to include girls he would surely have spoken of *liberi*. Petronius, whom many would see as a contemporary of Columella, wrote in his comic account of the wealth of the imaginary freedman Trimalchio of '30 boys and 40 girls' (slaves, of course) born in a single day on his estate at Cumae (*Satyr.* 53); the story is significant, however exaggerated the numbers may be. I will only add that it might indeed be necessary, as Columella contemplates, to reward female slaves who actually bore children. In an imaginary dialogue in the second of Dio Chrysostom's two discourses *On slavery and freedom* (written probably in the later years of the first century) it is assumed that slave women who became pregnant would tend to resort to abortion or infanticide (sometimes even with the consent of the men concerned), 'so as not to have trouble in addition to their slavery, by being obliged to rear children' (XV.8) – which of course, as Dio had no need to remind his audience, might then be taken away from them and sold to another master. As late as the early third century there was no general practice of buying female slaves with the deliberate purpose of breeding from them (Ulpian, Dig. V.iii.27.pr.: 'non temere ancillae eius rei causa comparantur ut pariant'); and therefore their offspring were not technically regarded as 'profits' (*fructus*) of the estate (ibid.).¹⁴ Nevertheless, such offspring were inherited with the estate, which they 'increased', as were *fructus* (ibid., with 20.3). And a woman slave who had become sterile or was past the age of fifty was regarded as distinctly less valuable (Paulus, Dig. XIX.i.21.pr.), for 'conceiving and bringing to birth a child' was regarded as 'the most important particular function of women' (Ulpian, Dig. XXI.i.14.1).

Further useful evidence is provided by the legal sources. Of a large number of legal texts mentioning the offspring of slave-girls or home-bred slaves, very few go back to the lawyers of the Late Republic or the time of Augustus. This of course does not prove anything by itself, because the great bulk of the jurists cited in the *Digest* belonged to the Antonine or Severan periods (A.D. 138–193–235). However, Brunt, with all due caution, is prepared to infer that 'slave-breeding assumed greater economic importance after Augustus' (IM 708); and we may surely agree at least that by the second century of our era it was playing a much larger role than in the last century B.C. In the second and third centuries the lawyers sometimes use the correct technical expression for the 'consorts' of slaves, *contubernales*, but sometimes refer to them as 'wives', *uxores*, which in strict law they could never be, although the term may often have been applied to them in popular speech, as by Cato, *De agric.* 143.1, quoted above. Ulpian in Dig. XXXIII.vii.12.33 uses the right word, *contubernales*, but in 12.7 of the same title he actually refers to the consorts as *uxores* – a surprising lapse by a jurist, unless it had become very common for slaves to have permanent consorts, to

such an extent that even a lawyer could refer to them loosely as 'wives'.¹⁵ A particularly interesting text from Salvius Julianus, writing probably in the 150s, contemplates a case in which a man provided in his will that his slave woman should be free 'if she bore three slaves', but she was prevented from doing so by his heir either giving her some 'medicamentum' to prevent conception or procuring abortion (Dig. XL.vii.3.16). I may add that children born to town-slaves in a man's urban *familia* might be reared on his country estate: see Dig. XXXII.xcix.3 (Paulus); L.xvi.210 (Marcianus).

11. I hope I have now established that, in so far as it is permissible to speak of a 'decline' of slavery during the Principate, what we must concentrate on is the fact that as a result of slaves being to a large extent bred within the economy instead of being brought into it under exceptionally favourable conditions, the rate of exploitation of the slave population as a whole must have diminished, to allow for the diversion of effort to producing and rearing children, including a considerable number who would not survive to become useful to their owners. The increased cost of slaves imported from outside the economy would also diminish their profitability.

12. We have now admitted the necessity for slave-breeding in the Principate and the desirability of encouraging slaves to breed by establishing them in conditions conducive to the rearing of families. It need not surprise us, therefore, to find actual evidence, from as early as the last century B.C. onwards, of slaves settled as virtual tenants of agricultural plots – a situation which might have been widespread without its making an appearance in our sources, but which we happen to know about from quotations in Justinian's *Digest* from some of the earlier lawyers whose works are cited there, including two of the very earliest: Alfenus Varus, consul in 39 B.C., and his younger contemporary, M. Antonius Labeo, who flourished under Augustus. Alfenus wrote of a man who leased a farm to his slave for cultivation (*quidam fundum colendum servo suo locavit*: Dig. XV.iii.16), and mentioned the possibility of such a lease as if it were a normal occurrence (XL.vii.14.pr.). Labeo (and also Pegasus, who was at work in the 70s of the first century), as quoted by Ulpian, wrote of a *servus qui quasi colonus in agro erat*, 'a slave who was on agricultural land as if he were a tenant' (Dig. XXXIII.vii.12.3). The same situation is also referred to by Q. Cervidius Scaevola, a leading jurist of the second half of the second century (XXXIII.vii.20.1, with 18.4; cf. XX.i.32), and I would see it reflected again in two other texts of Scaevola: Dig. XXXIII.viii.23.3 (*coloni praediorum* who are slaves) and vii.20.3 (where the *reliqua* due from *vilici*, as well as *coloni*, may well be, or at least include, rents). All the texts in question mention this situation quite casually, as if it were well known, and I suggest that it was probably very common indeed from the first century onwards. In such cases the tenant, considered from the strictly legal aspect, was still a slave; but from the economic point of view the slave was properly a tenant, and he might even employ slaves of his own (*vicarii*, mentioned by Scaevola, for example, in Dig. XX.i.32), as an ordinary free *colonus* might (see e.g. Dig. IX.ii.27.9,11; XIX.ii.30.4). Ulpian could contemplate a slave as occupier (*habitor*) of a house (Dig. IX.iii.1.8); he goes on to define a *habitor* as one who occupies a house that is his own or leased to him, or which he is occupying by favour (*vel in suo vel in conducto vel gratuito*, § 9).

In the late fourth century slave tenants were apparently still common, for an imperial constitution of 392 (*CTh* XVI.v.21), ordering the punishment as criminals of those who allowed heretical meetings to take place on lands they owned or leased, decrees that a lessee (*conductor*) guilty of any such heinous offence is to pay a large fine if a free man, but, if he is 'the offspring of servile dregs' (*servile faece descendens*) and is contemptuous of the fine because of his poverty and his low condition, he is to be flogged and deported. (I realise, of course, that the Latin phrase I have quoted need not necessarily imply more than servile birth, and was presumably used to cover both slaves and freedmen.) A century later, in the 490s, a slave of the Roman Church named Ampliatius, who had been *conductor* of some of its land, is mentioned in a letter (fr. 28) of Pope Gelasius (A.D. 492-6).¹⁶ If such tenancies of slaves were found to be to the master's advantage, they would doubtless be continued indefinitely, and the slave-*colonus*, if not manumitted in his master's lifetime, might well be freed by his master's will (as in *Dig.* XXXII.xcvii. Paulus). The situation I have been discussing has long been known, of course, and good use has been made of some of the texts I have quoted by various modern historians, including for instance Marc Bloch (in *CEHE* I².251-2), although he is concentrating entirely on the Latin West, whereas we are primarily interested in the Greek East. The 'huttet slave', *servus casatus*, so much in evidence by the time of Charlemagne, is not known under that designation in the Roman empire: the term *casatus* is unknown before the Middle Ages, and the *casarii* who are bracketed with *coloni* in a constitution of 369 are as likely to be free 'cottagers' as 'huttet slaves' (*CTh* IX.xlii.7 = *CJ* IX.xlix.7). But Pope Pelagius I, in a letter giving instructions about an inheritance, part of which could be claimed by his Church (*Ep.* 84, of A.D. 560-1),¹⁷ advises his agent, Bishop Julian of Cingulum, that a 'rusticus vel colonus' is preferable to an 'artifex et ministerialis puer' (§ 1), and warns him not to release 'those who can become *conductores* or *coloni*' (§ 3) and not to give away 'such men as may be able to occupy cottages or to become cultivators' (*qui vel continere casas vel colere possunt*, § 2) – where the words 'continere casas' come near to calling these men 'servi casati'.

The *servus quasi colonus* was well known among the German tribes as early as the first century, for Tacitus describes the condition of such a man as the characteristic form of German slavery. Each slave, he says, lives on his own, and the master imposes on him liability for a fixed quantity of corn or cattle or clothing, 'as on a *colonus*', or 'as if he were a *colonus*' (*ut colono*: *Germ.* 25.1). We can accept this without misgiving: it was probably the best way of preventing the slave from escaping to his home, which might be quite near (see Thompson, *SEG* 22-3, 18-19 = *SCA* [ed. Finley] 196-7, 192-3).

According to a much-quoted letter of Pliny the Younger, written in the first years of the second century, he himself nowhere used chained slaves (*vincti*, elsewhere also *compediti*, *alligati*), nor did anyone else in the part of Italy to which he is referring (*Ep.* III.xix.7). Sherwin-White, in his commentary on Pliny's letters, has shown that the area in question must be on the edge of Tuscany, where Pliny had an estate in the upper valley of the Tiber, at Tifernum Tiberinum (*LP* 254). A passage in the poet Martial, probably written within a decade before this letter of Pliny's, contemplates the prospect of 'the fields of Tuscany resounding with countless fetters' (*et sonet innumera compede Tuscanus ager*,

IX.xxii.4); but this may not refer to a real contemporary situation. In the early 70s the Elder Pliny had deplored large-scale cultivation by *vincti*, housed in prison-like barracks (*ergastula*): this, he says, is the worst kind of farming, and one could well believe that it makes Mother Earth herself unwilling and indignant! (*NH* XVIII.21.35-6). However, Columella (writing probably a few years earlier) does refer occasionally to chained slaves: and although two of these passages rather suggest that the men concerned (*ergastuli mancipia*, I.viii.16-17; *mancipia vincta*, XI.i.22) will be in that condition as a special punishment, Columella also speaks of vineyards as being 'very often cultivated by fettered slaves' (*vineta plurimum per alligatos excoluntur*, I.ix.4; cf. I.vi.3; vii.1; also I.*praef.*3; iii.12). Evidently the use of chain-gangs in agriculture was on the decline even in Italy in the time of the two Plinys but had not entirely died out by the beginning of the second century.

13. I wish to mention at this point three works which have made a particularly valuable contribution to our understanding of Roman land tenure and the rise of the colonate in its earlier form, before it was converted into serfdom.

(a) The first is a brilliant lecture delivered by Max Weber in 1896 and published in the same year. It remained unread even by Rostovtzeff (see *SEHRE*² II.751 n.9), who did not miss much; but in recent years it has become easily available in good English translation in no fewer than three different paperbacks, under the title, 'The social causes of the decay of ancient civilisation' (see II.v above and its n.8 below), and Mazzarino has described it (with some exaggeration) as 'really the most fundamental work and the greatest work of genius which has ever been written on the economic crisis of antiquity' (*EAW* 140). Weber's interesting approach to his problem is from the point of view of the supply of labour. He points out, as I have done, that the slave-barracks which had flourished in certain areas in the Late Republic were anything but self-reproducing, and that when the external supply of slaves began to some extent to dry up, 'the effect on the slave-barracks must be the same as that of exhaustion of the coal-deposits on the blast-furnaces'. When that happened, Weber adds, 'we have reached the turning-point in the development of ancient civilisation'. But his sketch of the decline of slavery and the development of the colonate, perfectly valid as far as it goes,¹⁸ fails to bring out the complex of connected processes which I explained in § 6 above: *the fall in the rate of exploitation of slave labour* consequent upon the widespread extension of slave-breeding, and also *an increased exploitation of humble free men*, as a material result of the fact that the propertied classes were determined to maintain their relatively high standard of life and had all the political control necessary to enable them to depress the condition of others.

(b) The second work is a long essay by Fustel de Coulanges, 'Le colonat romain', in his *Recherches sur quelques problèmes d'histoire* (Paris, 1885) 1-186. Fustel has a great deal to say on the development of the colonate that is still of real interest. He lays particular stress on the fact that *coloni* often went deeply into debt, like the tenants of the Younger Pliny, some of whom seem to have got into a hopeless position, with their arrears (*reliqua*) ever mounting and their securities forfeited (Pliny, *Ep.* III.19.6-7; IX.37.1-3; cf. VII.30.3; IX.36.6; X.8.5). There are many references in the works of the Roman lawyers cited in

the *Digest* to 'rents outstanding from tenants' (*reliqua colonorum*). These would surely include rents merely *due* after the testator's death, and not only rents then already *overdue*, in arrear (for no text I have noticed distinguishes between the two); but of course they would also include any arrears, such as the *reliqua* that so worried Pliny (*Ep.* III.19.6; IX.37.2). More recent work has shown that Fustel was mistaken on certain technical questions of Roman law: in particular, he was wrong in believing that a fixed rent was essential for the Roman contract of lease, *locatio conductio* (see e.g. Clausen, *RC* 161-2; Thomas, NM). Nevertheless, his work is very useful in its demonstration of the humble status, and the precariousness of the legal and economic position, of the *coloni* of the Principate. Horace, as the very opposite of 'kings', had chosen 'strengthless *coloni*' (*inopes coloni*; *Od.* II.xiv.11-12). Later we see them dominated by their landlords even in religious matters: in 251 St. Cyprian could praise African landlords who had preserved their Christian 'inquilini et coloni' from the act of public sacrifice demanded by the Emperor Decius (*Ep.* LV.xiii.2), and around the year 400 masterful landowners in North Africa took it upon themselves to convert their *coloni* from Donatism to Catholicism (August., *Ep.* 58.1) or vice versa (August., *C. Litt. Petil.* II.184, 228).

(c) The last of the three works is an article by Bernhard Kübler (SCRK, esp. 580-8) which brings out better than anything else I know the very weak position of the lessee under the Roman contract of *locatio conductio*. It is worth drawing attention here to something recently pointed out by Elizabeth Rawson: 'the rarity, among the upper class [of Late Republican Rome], of renting, which may be connected with the unfavourable position at law of a tenant' (SRP, ed. Finley, 87).

And here, going back to what I said under the heading 'III. Debt bondage' in III.iv above about 'personal execution' for debt, I must point out that rent in arrear, a breach of the contract of *locatio conductio* between landlord and tenant, would constitute a debt for which the landlord would be entitled to 'personal execution' against the defaulting tenant, as against any other debtor. I can now add an important consideration to one I advanced in III.iv above (in the paragraph just before the one containing n.70), to the effect that the *addictus* or *iudicatus*, who could have slave-terminology applied to him in popular usage, may often have been obliged in practice to work for his creditor. Is it not very likely indeed that in such a situation a landlord would often offer to keep his tenant on the same land, *under more burdensome conditions than could normally be exacted from a willing tenant*, and that the tenant would prefer to accept such conditions, rather than risk being turned into an *addictus* and simply kept in a prison, or taken away elsewhere to work off his arrears? We know from a statement in the treatise of Callistratus, *De iure fisci*, preserved in the *Digest* (XLIX.xiv.3.6), that by the second quarter of the second century a practice had grown up of forcing the lessees of public land to renew their tenancies if no one else could be found to take the property at the same rent. (Tax farmers, too, were similarly made to renew their contracts.) Hadrian, rebuking such a procedure, refers to it as 'a thoroughly inhuman custom' (*valde inhumanus mos*), from which we must conclude that it had already occurred on numerous occasions. And according to a provision of the Emperor Philip in 244 the retention of 'unwilling lessees or their heirs' after the expiration of a lease had 'often' been

forbidden by imperial rescript (*CJ* IV.lxv.11). It is indeed easy to believe that private landlords, as well as imperial agents, often attempted to keep their tenants on the land after their leases had expired, although of course they had no right to do so – unless, I would emphasise, the tenant was in debt to the landlord: see the reference at the beginning of this paragraph to III.iv above, dealing with 'personal execution' for debt. I would assume that in the case which is being dealt with in *CJ* IV.lxv.11 the tenant concerned was not in that situation, but that had he been indebted to his landlord for rent or the repayment of a loan, and unable to discharge the debt, the law which was being stated would simply have been inapplicable.

14. There was one factor in particular, noticeable in Italy, which we might expect to operate almost as strongly in the Greek East: the additional time and effort which a landowner working his estate directly with slave labour would have to expend in order to get the best results, compared with the landlord who leased out his land, and the impetus this would give to leasing. Even a landowner who did go in for letting to tenants might occasionally be involved in tiresome supervisory activities, as we find from some of the letters of Pliny the Younger.¹⁹ But, over all, farms which were leased would normally have required less attention from their owners, and this would have partly discounted the higher profits to be expected from land worked directly with slaves. It was always considered highly desirable for the landowner to be present in person on a directly worked estate for much of the year, as ancient writers often stressed.²⁰ Columella bewails the disinclination of many of the landowners of his day (the mid-first century), and of their wives, to remain on their estates and take a personal interest in them (*RR* I.praef.12-15; I.iv.8; XII.praef.8-10). The ladies, he says, regard a few days spent at a country house as 'a most sordid business' (*sordidissimum negotium*). The obvious solution for such people was to let their lands on lease as much as possible; and this was all the more likely since many large landowners in the West (and to some extent in the Greek East) owned estates scattered around in many different places, which they could hardly have supervised closely in person, even if they had wished to do so. My own impression is that until the Late Republic wealthy Romans perhaps tended to have fairly concentrated landholdings (even the thirteen farms of Sextus Roscius were 'almost all along the Tiber': Cic., *Pro Sex. Rosc. Amer.* 20), but that in the Late Republic, and still more during the Principate and Later Empire, they were likely to own property more and more widely diffused – in the Later Empire above all we hear of Romans owning estates in many different provinces. This would of itself encourage leasing, for reasons I have just made clear. Certainly, we ought not simply to take it for granted, in the absence of sufficient evidence, that leasing became much more common than it had been in the Republic: here I agree with Brunt, who has made a useful collection of texts relating to leases in Italy in Republican and Augustan times (*ALRR* 71 nn.27-33).²¹ Nevertheless, it does look to me as if leasing did grow, at the expense of direct working. I think that many of the farms distributed to discharged veterans may have been dealt with in this way. Horace's Ofellus is a case in point: his farm has been confiscated and handed over to a veteran, whose *colonus* he has become (*Sat.* II.ii.2-3, 112-15, 127-35). We also hear of men selling their farms on condition of taking

them back on lease, a practice contemplated in *Dig.* XIX.i.21.4 (Paulus) and XVIII.i.75 (Hermogenianus). I must add here that letting land to a tenant does not by any means imply a cessation of slave labour (see below and nn.52-8).

15. If up to now I have concentrated too much on evidence from Italy, it is because (as I said earlier) we have much more explicit evidence from there than from the Greek East for the developments I have been describing, during the Principate. In some of the Balkan provinces of the Roman empire we find numerous slaves down to about the middle of the second century; but later the proportion of slaves in the population seems to have declined very considerably. This has been shown for Dalmatia by Wilkes and for Noricum by Géza Alföldy.²² In most of the Greek world, however, above all in Egypt, slave production had never reached as high a level as it did in Italy in the last century or two of the Republic, and in particular there were nothing like as many great estates as existed in Italy, Sicily and north Africa – *latifundia*, as they have generally been called in modern times, although in antiquity that expression is quite late and rare. In the last years of the Republic, Varro could speak of a large farm as a *latus fundus* (*RR* I.xvi.4), but the earliest occurrence that I know of the actual word *latifundium* is in Valerius Maximus (IV.iv.7), who wrote in the 30s, in the reign of Tiberius, and who refers ironically to *magna latifundia*.²³

Large estates, of course, could be either slave-worked, or let to tenants, or both. As it happens, we have literary evidence from the first century for large numbers of tenant-farmers in the West, Africa particularly. Seneca, in a letter written in the early 60s, speaks of 'thousands of *coloni*' working the land of (it seems) single owners in Sicily and Africa (*Ep.* CXIV.26). And the Roman surveyor Agennius Urbicus (whose date is uncertain), probably reproducing the *De controversiis agrorum* of Sextus Julius Frontinus, written in the 80s or 90s, speaks of individuals in Africa as owning estates (*saltus*) 'no smaller than the territories of cities, many of them indeed much bigger; and individuals have on their estates no small number of humble people [*non exiguum populum plebeium*] and villages of the size of towns around their villa'.²⁴ The same general features were at work in the Greek world; and I would say that for my present purposes the main difference between Italy and the Greek East was merely that the change from large-scale slave production to what I may call 'peasant production' (principally in the form of the letting of land in small parcels to tenants) was less noticeable because in the Greek East peasant production already played a relatively larger role. I must admit that I have not yet been able to collect sufficient evidence for the different areas separately. Figures of any sort for slave households in the Greek world in the Roman period are non-existent, except for statements of a rhetorical character like that in St. John Chrysostom, *Hom. in Matth.* 63.4, in *MPG* LVIII.608 (Antiochene landowners possessing one or two thousand *andrapoda*). I know of no estimate of the number of slaves in the territory of any Greek city in the Roman age apart from a casual and surely quite unreliable one by Galen, in the second half of the second century, to the effect that his own city, Pergamum, had 40,000 citizens, plus 'wives and slaves' to the number of 80,000, from which we may presumably infer that Galen – who could hardly have known the number of slaves at Pergamum – estimated that number at about 40,000 (*De cogn. curand. animi morbis* 9, in Galen's *Opera Omnia* V.49, ed. C. G. Kühn, 1825).

16. Although I could not yet prove it against sceptical opposition, I believe that the condition of the peasantry throughout much of the Roman empire, including its Greek areas, deteriorated markedly during the first three centuries of the Christian era – just as the position of slaves improved somewhat, especially if they became tenants *de facto* (see § 12 above). This depression in the status of the peasantry (and indeed of all the free poor) was facilitated by a deterioration in their legal rights (in so far as they had any), in ways I shall describe in VIII.i below, and, in the Greek world, by the final extinction of democracy (see V.iii and Appendix IV below). The various processes (economic, legal and political) were closely related; but the legal and political aspects are better evidenced and can be more precisely described, and I have found it convenient to treat them separately, setting them apart from the economic side, which is a perfect jumble of small scraps of material from different areas of the empire which were developing in diverse ways and at unequal speeds, even if the final result – achieved by no means simultaneously everywhere – was very much the same over the whole vast area. The one thing I should most like to know, but have not yet been able to discover to more than a small extent, is the relative weight in the early and middle Principate of the three main burdens imposed upon the peasant (see Section ii of this chapter), of rent, compulsory services (such as *angariae*), and taxation, and how these changed over the years.

17. We are not yet quite ready to take account of the enslavement of most of the free working agricultural population of the Roman empire, which took place from the end of the third century onwards. Before we do that, there are two major connected problems, unnoticed as yet in this book, which we must briefly examine. The first problem, which gradually forced itself on my attention while I was working on the emergence of the Later Roman colonate, is the very large question of the settlement of *barbari* within the empire. This was discussed in part as long ago as the 1840s, by Zumpt and Huschke (see Clausen, *RC* 44-9, 57-61, 77-89); a very brief but more up-to-date account of it was given by Otto Seeck (*GUAW* I⁴.i.407; ii.591-2), when formulating an important theory which I shall discuss in connection with the second of the two problems I have just mentioned, and in the past few years particular aspects of it have attracted attention; but I know of no recent overall account. The subject is much too large to be dealt with properly in this book: it raises a host of highly technical questions, such as the nature of the *laeti* and *gentiles*, and it involves consideration of epigraphic and archaeological evidence, as well as a great many literary passages, some of them hard to assess. I have, however, set out in Appendix III, with a few comments, all the relevant evidence I know that seems to me important for the settlement of *barbari* in the empire from the first century to the late sixth. This will at least give some idea of the extent of these settlements, which will, I think, astonish most people, and may be useful to those who wish to pursue the matter further. I need make no apology for directing some attention to these issues, although they affect the Western part of the empire much more than the Greek East, for the introduction into the empire of what were certainly very large numbers of *barbari* as settlers, amounting to many hundreds of thousands in all, is obviously something that must be seriously taken

into account when we are considering the question of the 'decline and fall' (cf. Chapter VIII below), especially if, like so many recent writers, we regard as an important aspect of that process a 'shortage of manpower' – whether in the absolute sense, of a general decline in population, or (as I would much prefer) in the relative sense, of a diversion of manpower from productive tasks, in agriculture above all, to spheres of activity which, however important they might be in themselves, were not directly concerned with production, like the army and the imperial civil service.²⁵ I shall return to this subject in § 19 below, after taking up the second of the two problems I mentioned at the beginning of this paragraph.

18. My second problem arises out of a particular text in the *Digest*, which seems to me important in any attempt to trace the emergence of the serfdom of the Later Roman colonate. The text, *Dig. XXX.112.pr.*, is an extract from the *Institutes* of Aelius Marcianus, one of the last of the great jurists of the 'Classical' period of Roman law, who was probably writing around 220.²⁶ It falls into two parts: a brief statement by Marcianus himself, followed by a reference to a joint rescript of the Emperors Marcus Aurelius and Commodus. This rescript can be very closely dated, between 177, when Commodus became co-Augustus with his father, and the death of Marcus on 17 March 180. The text is as follows:

(a) If anyone bequeaths *inquilini* without the lands to which they are attached [*sine praediis quibus adhaerent*],^{26a} the bequest is legally invalid [*inutile*];

(b) But the question whether a valuation [*aestimatio*] ought to be made [*sc.* of what the heir should pay the legatee as an equivalent, in compensation] is to be decided in conformity with the wishes of the testator, according to a rescript of the deified Marcus and Commodus.

Interpreted according to its natural sense, the passage implies that the first of the two points it makes, namely (a) above, was already settled law, and what the emperors were deciding in 177–180 was that in the event of an ineffectual bequest of *inquilini* without the lands to which they were attached, the value of such a bequest might have to be estimated (so that the heir could compensate the legatee to that extent for the failure of the bequest). In any event, we can be certain, if we accept the text as it stands, that by 180 at the latest it was settled law that those '*inquilini*' who were regarded as attached to particular lands could not be bequeathed separately from those lands. (I must make it clear that our text deals not with *inquilini* in general but with a particular type of *inquilini*.)²⁷

The very use of the term *inquilini* in such a way may seem to some to create a problem in itself, for it is often supposed that right through the Principate, in legal texts, the word *inquilinus* normally means 'a tenant living in a rented dwelling' (thus Berger, *EDRL* 503), a man who leases a house, rather than the tenant of a farm or plot of land, who is a *colonus*. However, I think we must assume that the word *inquilinus* is being used in its less technical sense of tenants of land of any sort (cf. Justin *XLIII.iv.5*). Unfortunately, the fact that the word *praedia* is used is not decisive. It tells us only that we are dealing with some form of landed property: in principle, either *praedia urbana*, of which buildings are an important element, or *praedia rustica*, essentially agricultural land, whether it has buildings on it or not (see e.g. *Dig. VIII.i.1; 14.pr.; ii, esp. 2, with iii, esp. 1 and 2; iv.6.pr. and 1; iv.12*).

What is extraordinary about this text is that the *inquilini* in question are described as attached to the 'praedia', in the words 'praediis quibus adhaerent'. One explanation of this text has been offered which, if correct, would offer a neat and tidy solution and would not leave us with any disquiet about possible further consequences. This is the theory of Otto Seeck, first published in 1900 as part of an article on the colonate (*RE IV.i.483–510*, at 494–7), and set out again in his account of the Later Roman colonate contained in his massive history of the decline of the ancient world (*GUAW I¹.i.404 ff.*, esp. 405–7, with ii.585–90). Seeck suggested that the *inquilini* of our text, far from being *inquilini* of the traditional type, were *barbari* settled by the Emperor Marcus, mainly in frontier areas of the Roman empire, after his Marcomannic wars (for which see *VIII.ii* below); that these settlers are the *laeti* we encounter from the time of Diocletian onwards, who were indeed Germans settled on lands within the empire (later referred to once as 'terrae laeticae'), apparently with the twin obligations of cultivation and military service; and that the attaching to the land of these men is a natural corollary of their settlement, and foreshadowed the serf-colonate of the Later Empire. The date of our rescript is, *prima facie*, an argument in Seeck's favour, for settlements of *barbari* on an appreciable scale were certainly made in the 170s (see Appendix III below, § 7), and the circumstances referred to by Marcianus must have arisen at that very time, if they were the subject of a rescript of the late 170s. It is perfectly conceivable that a landowner on whose estates Germans were settled (whether they are to be identified with the later *laeti* or not) should attempt to bequeath them separately from the lands originally provided for them. Unfortunately we are not told the reason why the bequest of the *inquilini* in question was held to be invalid. If the men were indeed Germans (*laeti* or not), then it may be that they were held to be inseparable from the lands on which they had originally been placed, and that they could be bequeathed, if at all, only with that land. (I shall leave aside for the moment the question what law was being applied if they were not German *laeti* or the like.) Seeck's theory has been accepted (with or without modifications) by some scholars and rejected by others;²⁸ but I have not seen any additional argument of any weight in its favour, nor have I discovered any convincing argument against it. If it is true, the theory provides us with an interesting anticipation of the Later Roman serf-colonate, which (as we shall see in §§ 20 ff. below) certainly tied a very large part of the working agricultural population of the Roman empire to the land in one way or another. The one argument of some weight against Seeck is that there is no further evidence of 'barbarian' settlers tied to their lands for over a century: the earliest relevant text would be the reference to *laeti* in the Latin Panegyric IV (VIII), of 1 March 297, mentioned in Appendix III below, § 14a. (I reject as fictitious the inalienable plots of land in *Hist. Aug., Alex. Sev.* 58.4 – which of course purports to refer to lands granted to Roman soldiers, not *barbari*.)

Two problems seem to me to have been generally overlooked by those who do not accept Seeck's theory. First, how could any ordinary *inquilini*, as early as the 170s, be said to be 'attached to lands' in any sense at all? And secondly, how could any landowner at that date feel himself entitled to bequeath his *inquilini* – with or without land to which they were mysteriously 'attached'? If Seeck is right, these problems do not arise; but if we reject or doubt his theory they cannot simply be ignored, as by several of Seeck's critics. I know of no evidence

that tenants (*coloni* or *inquilini*) in general were ever thought capable of being bequeathed by will during the Principate; although of course when the serf colonate was introduced, in the Later Empire, and tenants could not be separated from the land they leased, they could – and indeed must – pass with the land by bequest or inheritance as well as sale. As far as I can see, tenants during the Principate certainly did not form part of the *instrumentum* of a farm – the equipment of the farm, which might be specifically mentioned in a lease or bequest, or might be held to go with the farm automatically if it were leased or bequeathed by the owner, with or without the words 'cum instrumento' or 'instructum'. The Roman lawyers were at pains to define precisely what was included in the *instrumentum*, both in *Dig.* XIX.ii.19.2, in that part of the work which deals with the contract of *locatio conductio* (including what we call the leasing of land) and, at greater length, in another part dealing with legacies (XXXIII.vii), for farms were often – perhaps usually – bequeathed with their *instrumentum*. Slaves, of course, could form part of the *instrumentum*; but the slave-colonus, discussed in § 12 above, was held not to be part of the *instrumentum* of the farm of which he was regarded as the lessee (*Dig.* XXXIII.vii.12.3), and *a fortiori* an ordinary free *colonus* or *inquilinus* would certainly not be. It is true that some writers (including Jones: see below) have taken the *inquilini* of Marcianus to be slaves; but had they been slaves it is surely inconceivable that a bequest of them apart from the land on which they happened to be working would have been declared invalid. Leonhard saw them as 'grundhörige Sklaven' (*RE* IX.ii [1916] 1559, s.v. *inquilini*). But slaves bound to the soil are a category which never appears, as far as I know, before the fourth century, perhaps as late as c. 370 (see III.iv above and its n. 16 below). It does not solve our problem, therefore, to regard the *inquilini* of Marcianus as slaves; and I feel sure that Marcianus himself would not in any event have referred to slaves as 'inquilini'. Inexplicable to me, too, is Piganiol's statement (*EC*² 307 n.2): 'Au III^e siècle, tout *colonus* peut être dit *inquilinus* (cette observation explique le texte de Marcien)' – of course it does nothing of the sort. Even A. H. M. Jones showed uncharacteristic imprecision when dealing with the text we have been examining: I am not quite sure what he means by saying that the persons described as *inquilini* 'must be slaves, or they could not be left by will, but are attached to land and are only alienable with it'; the sentence that follows may be an imperfect recollection of Seeck, although he is not mentioned (see SAS, ed. Finley, 291-2).

It is possible, I suppose, that Saumagne was right in thinking that the text of Marcianus has suffered interpolation and that originally it did not contain the words 'without the lands to which they are attached' (ROC 503 n.3). To this one instinctively objects that in such circumstances there could be no *aestimatio* (see above), for how could a valuation be placed upon free men? As we read in the *Edictum Theodorici* 94, 'Homo enim liber pretio nullo aestimatur'. (The same objection would apply to any attempt merely to delete 'quibus adhaerent'.) But a valuable footnote of Fustel de Coulanges (see n.28 again) may provide an answer to our objection: the valuation in the *aestimatio* could be based on the amount of rent which the legatee would have received had the bequest of the *inquilini* been valid. If we are willing to suppose interpolation in *Dig.* XXX.112.pr., it may be that this is the solution of our problem. If we reject this and also Seeck's theory, I can suggest only one possible interpretation of the text

of Marcianus. As far as I can see, tenants (*coloni* or *inquilini*) were relevant to the *instrumentum* only in so far as they owed rent: the *reliqua colonorum* are certainly a normal part of the *instrumentum*. May it not be that the *inquilini* of Marcianus had defaulted in payment of their rents (or had committed some other breach of their contract of tenancy), and that their landlord had then reduced them to some kind of debt bondage? As we saw in III.iv above, a man could be regarded as having property in his judgment debtor (*iudicatus*), sufficient to make removal of him theft (*furtum*: Gai., *Inst.* III.199). Could the tenants of the testator in Marcianus's passage have been *iudicati*? If so, he might indeed have felt himself entitled to bequeath them – although it is then hard to see why the bequest should have been held to be invalid. It is a great pity that we are not given the reason for this decision. I would regard Seeck's theory as quite possibly correct, but I would leave the whole question open, with the two alternatives I have mentioned as other possibilities. [See, however, n.26a.]

19. A glance through Appendix III will give some idea of the astonishing extent of 'barbarian' settlement. One aspect of the subject, on which quite a large literature has grown up recently, is the *laeti*, and their connection (if any) with the so-called 'Reihengräberkultur' (in north-eastern France and the Low Countries) and with other categories of *barbari* such as *gentiles* and *foederati*.²⁹ The earliest mention of *laeti*, as I said above, is in 297; they are noticed several times by Ammianus during the reign of Constantius II and by other writers such as Zosimus and Jordanes; we possess the texts of laws referring to them from 369 to 465; they turn up in the *Notitia dignitatum*, mainly in the Prefecture of the Gauls; and there even seem to be references to them in a Ravenna papyrus, as late as the mid-seventh century (*P. Ital.* 24, lines 1, 21, 46-7), and in some even later texts.³⁰

A detailed discussion of the condition of the *barbari* settled in the Roman empire is beyond the scope of this book, and I shall limit myself to two observations upon them. First, it is clear that the terms of their settlements might differ very widely;³¹ and secondly, their installation inside the empire, which from a strictly *cultural* point of view may have contributed to the *decline* of the empire, must certainly, when considered from its *economic* aspect, be regarded as a contribution (however temporary the effect in each case) to the *preservation* of the empire. I shall deal briefly with each of these points in turn.

As for the terms of settlement, we can broadly distinguish among the settled *barbari* two main groups: those who became mere tenants or *coloni*, and those who presumably received land in freehold. There is very little positive evidence, but I would guess that the vast majority of *barbari* who came in after capture by or surrender to Roman generals would have become mere tenants (often perhaps of imperial estates), whereas many (probably most, if not all) of those who entered the empire by voluntary compact would have received land in freehold,³² or at least in some beneficial tenure such as emphyteusis (for which see Section ii of this chapter). Of course, where lands were granted to a king or chief and his tribe, the condition of individuals might vary widely: the chief and perhaps some of his retainers might become freeholders and lease out parcels to more humble men. Unequivocal evidence is rare, but, of the settlements listed in Appendix III below, no.23 refers specifically to *coloni*, and in several other cases the settlers certainly seem to have been mere tenants.³³ Except perhaps in a

few cases, where an emperor had been obliged to grant land (which might indeed be in the possession of the *barbari* concerned already), it is likely that the lands remained subject to imperial taxation, as well as involving liability to military service; occasionally the tributary status of the recipients of land is specifically mentioned.³⁴ [For *hospitium/hospitalitas* see n.34a.]

My second observation (see the last paragraph but one above), pointing out that any cultural 'barbarisation' effected by these settlements must have been balanced by short-term economic advantages, needs clarification. I shall say nothing about the process of 'barbarisation', which has often been discussed. The economic benefits seem to me far more important, when we remember the decline in the rate of exploitation of slave labour resulting from the difficulty the Graeco-Roman world had, from the early Principate onwards, in obtaining slaves gratis or at very cheap rates from outside the economy, and the breeding of slaves within the economy which consequently came to predominate (see § 6 of this section). The 'barbarian' settlements, I suggest, must have had a highly beneficial economic effect (if temporary in each case) which has not been taken into account by historians but becomes immediately obvious when we realise that all those in which the settlers became mere tenants, and (if to a less extent) the majority of those involving freeholders, provided *both recruits for the army and an adult work-force, the cost of producing which had not fallen upon the Graeco-Roman economy*. (Recruiting could of course continue indefinitely, but in each case there would be only one generation of workers not produced inside the economy.) I have already emphasised that breeding slaves within the economy involved much loss of labour, not merely because the whole process of breeding necessitates giving slaves improved conditions of life and because the mothers do less work during pregnancy and lactation, but because of the very high rates of maternal and infant mortality which prevailed in antiquity (see §§ 6[b] and 8 of this section). The 'barbarian' settlements, then, produced exactly what the Roman economy most needed: adult farmers (many of them potential soldiers), the cost of whose birth and nurture had been met entirely outside the economy, and who would normally provide some surplus, either in the form of rent, or produce they did not themselves consume, or at least by way of taxation; and many of those who were disinclined to do agricultural work would be ready to serve as soldiers in the Roman army. It is true that sometimes – especially in some of the cases in which a block grant of lands may have been made in freehold – little or no surplus in taxes, rent or produce might be derived by the State from a particular settlement; and here and there we actually hear of the emperor agreeing to pay the 'barbarians' a subsidy. But in any event the new settlers would provide much-needed recruits for the army, and the great majority probably at least paid tax on their lands. Those who became *coloni* would of course provide a much more substantial surplus. After recording the despatch of 'bands of barbarian captives' to 'deserted lands destined for them to cultivate', an enthusiastic panegyrist of Constantius I in 297 rejoices because

Now the Chamavus ploughs for me, and so does the Frisian . . . ; the barbarian cultivator lowers the cost of food. And if he is summoned to the military levy he responds, and is smartened by discipline . . . ; he congratulates himself on serving under the title of soldier (*Paneg. Lat.* IV[VIII].ix.3).

How large a surplus could be extracted from a whole tribe of Germans settled together on land which had become their freehold is unclear; but we should not underestimate the quantity of agricultural production which might be expected of them and would naturally be reflected in the rate of taxation. (The question of the agricultural and pastoral activities of the Germans is treated with admirable succinctness and clarity in two small books of E. A. Thompson: *EG*, 1965, and *VTU*, 1966.)³⁵ Even in Julius Caesar's day the Germans, although then primarily pastoralists, did practise agriculture in varying degrees, if at a rather primitive level. And at the time Tacitus was writing (roughly the first two decades of the second century)³⁶ the role played by agriculture in the economy of many German tribes, at any rate those most influenced by contact with the Roman world, had appreciably increased: even agricultural slavery was known (*Tac., Germ.* 25.1: see § 12 above). We must not suppose that the work-shy characteristics vividly depicted by Tacitus were general among the Germans: it is only the leading men whom he describes as lounging about in peace-time, doing nothing, concentrating on sleep and food, and leaving the care of their homes and fields to 'the women and the old men and the weakest members of the family' (*Germ.* 15.1; cf. 14.4, 26.1–2, 45.4, 46.1). Changes in the economy of the various Germanic peoples depended largely on the extent of their exposure to Roman influence. Evidence is scarce and mainly archaeological, but there does happen to be some good literary evidence for a considerable increase in the use of slaves by two groups of exceptionally advanced Germanic peoples: the Marcomanni and Quadi (across the middle Danube) in the second and third centuries, and the Alamanni (east of the upper and middle Rhine) in the fourth century; and in the latter case at any rate it is clear that slaves were employed in agriculture, if only by some of the leading men (see Thompson, *SEG* 26–9 = *SCA*, ed. Finley, 200–3). And the Visigoths and Ostrogoths, who play a major part in the story of 'barbarian' settlements in the second half of the fourth century and throughout the fifth, seem to have been predominantly agriculturalists even before the Huns, in their great westward movement in the 370s, conquered the Ostrogoths and drove the Visigoths to seek shelter across the Danube in Roman territory. Of the settlements recorded in Appendix III below, only one or two seem to have been of peoples who were nomadic or semi-nomadic and would consequently not have been capable of yielding to the Romans any kind of surplus, even by way of taxation, except perhaps the produce of their flocks and herds; but I doubt if this applies to any except the Hunnic tribes, such as the Kotrigurs (Appendix III, no.30d; cf. 26) – among the Germans, even the exceptionally 'barbarous' Heruls seem to have been partly agricultural (*ibid.* 29b and 30a).

20. We now reach the point at which a very considerable part of the hitherto free working agricultural population is legally bound to the soil, in one way or another. I have no doubt at all that this began to occur towards the end of the third century, as part of the great reform of the system of regular taxation introduced by Diocletian (284–305), and became universal during the fourth century. The nature of this innovation is rarely stated properly. In my opinion the only account of it which fully brings out its essential character (and therefore one of the most illuminating contributions made to the study of ancient history in

modern times) is that of A. H. M. Jones; but even some of those who refer to his treatment of the subject have failed to understand it thoroughly.³⁷ Not merely leasehold tenants but *the whole of the working agricultural population* throughout the Roman empire, inscribed in the tax registers, were tied to the land on a hereditary basis and thus entered into serfdom – or (as far as peasant freeholders were concerned) what I am calling ‘quasi-serfdom’ (see below). It seems that the *peasant freeholder* (peasant proprietor, the absolute owner of his land)³⁸ who was entered in the census in that capacity, however small his plot and whether or not he also happened to lease land from someone else, was tied to his *village*,³⁹ while the peasant who was *only a leasehold tenant* was tied to the actual *farm or plot* he rented, as a *colonus*, provided his name appeared in his landlord’s census return. (The landlord in the latter case would normally be a freeholder, but he might be only a head lessee, as explained in § 22 below, e.g. the *condutor* of an imperial or ecclesiastical estate, who might often be a wealthy man.) The fact that different systems of registration in the census were adopted in different parts of the empire brought about complications, and it may be that I am over-simplifying if I notice only the two broad groups I have mentioned. But in some – probably most – areas, including at any rate Asia Minor and the Aegean islands, Thrace and Illyricum, there is reason to think that landowners entered on their returns the names of all their tenants who were not also proprietors of freehold land. In some other areas, however, including at least Egypt (for which we have some solid evidence) and probably Palestine and some of the provinces in the Prefecture of the Gauls, the names of leasehold tenants were apparently not entered in the census returns of the landowners from whom they leased their plots, but only under their villages, even if they owned no freehold land in addition to their rented plots; and in these areas the tenants seem to have been tied, not to their leasehold farms or plots, but to their villages, as were all peasant freeholders.⁴⁰ The overall situation, if I have analysed it correctly (and I am not quite certain of this), can be summed up as follows:

1. The peasant who owned any *land in freehold* was entered in the census return under his village and was *tied to his village*, whether he also had land on lease or not.

2. The situation of the peasant who owned no freehold land, but was a *leaseholder only*, differed according to the area in which he lived: it seems that

(a) in some areas (including at least Egypt, and probably Palestine and some of the provinces in the Prefecture of the Gauls) he was, like the freeholder, entered in the census return under his village and *tied to his village*; but that

(b) in other areas (perhaps in most, and certainly in Asia Minor, the Aegean islands, Thrace and Illyricum) he was entered on his landlord’s census return, and he was then *tied to the actual farm or plot he rented*. (Only these last, I believe, were properly *adscripticii*, although the expression may sometimes have been used of members of my group 2(a) also.)

These far-reaching reforms amounted to the enslavement of a large part of the working agricultural population of the empire, in order to facilitate the increased exploitation of them – through taxation above all, not to mention forced services and military conscription – which had become necessary to maintain the Roman empire in the form in which it was reorganised by Diocletian and

Constantine. That reorganisation was of course seen by its authors as necessary, in the common interest of all, for the very preservation of the empire, imperilled as it was now, as never before, by ‘barbarian’ threats, by the increased power of Persia under the Sassanids, and by internally destructive rivalries for control of the imperial power (see Chapter VIII below, especially Section iv). However, the propertied classes were determined to maintain, and were able to maintain, their dominance and their economically privileged situation; and the greater a man’s wealth and the more exalted his rank in the social and political hierarchy, the more likely he would be to succeed in preserving and even strengthening his position, even if a certain number of prominent individuals had to be sacrificed in the process. The great reorganisation was therefore primarily for the benefit of the propertied classes as a whole; and for them, or at any rate their upper crust, it worked wonders for a time (cf. VIII.iv below). We now enter upon the period commonly called the ‘Later Roman Empire’, in which the emperors, from Diocletian onwards, assumed an even more exalted position, enabling them (if they were competent enough) to exercise still greater control, in the collective interest of the governing class. But, as I have explained in VI.vi below, it is a mistake to imagine a fundamental change in the nature of imperial rule, from ‘Principate’ to ‘Dominate’, with the inception of the Later Empire. The Princeps (as he was still often called) had always been in practice a virtually absolute monarch, and the most significant feature of the changes that came about with the Later Empire was an intensification of the forms of exploitation, among which the introduction of widespread serfdom was perhaps, in the long run, the most important element.

21. I think Jones was right in believing that the law binding peasants to their villages or farms was ‘primarily a fiscal measure, designed to facilitate and ensure the collection of the new poll tax, and not specifically aimed at tying tenants to their farms’; but that ‘landlords found the law useful in holding their tenants and reclaiming them if they left’, and the emperors extended the original measure for their benefit (see especially *CJ* XI.li.1. of Theodosius I), and increased the dependence of tied *coloni* on their landlords by a series of laws over the fourth and fifth centuries (Jones, *RC*, in *SAS*, ed. Finley, 293–5; cf. Jones, *RE* 406–7; *LRE* II.796–801). Peasant freeholders, however, although they always remained numerous, at any rate in the Greek East, were of no particular interest to the landlord class, and the laws binding them to their villages seem to have been little enforced, except when villages themselves took action (as we see in *P. Theod.* 16–17) to stop mass desertions – which were probably rare, for peasant freeholders would seldom be driven to the length of abandoning their ancestral properties.

As regards tenants the position was exceedingly complicated. The tied ‘colonate’, in the sense of tenants bound to the plots they leased (and not simply to their villages), was naturally a matter of keen interest to the landlord class; it was extended to Palestine by a law of Theodosius I (quoted above), and probably to Egypt well before 415, when we first hear of tenants called *coloni homelepi* (*CTh* XI.xxiv.6.pr.,3), who apparently included tenants on estates, although they were actually registered in their villages. Even tied *coloni*, however, although serfs according to my definition (in III.iv above), remained theoretically free in status: they were not technically slaves. Before the second half of the fourth century the term *colonus* had come into use for the serf colonate. Its earliest

appearance is usually dated to 382 (CTh XIV.xviii.1 = CJ XI.xxvi.1), perhaps on the strength of the *Thesaurus Linguae Latinae*, in which that is the earliest text cited; but the term *colonatus iure* occurs as much as forty years earlier, in CTh XII.i.33, where it is already used as a technical term. At this point I must revert to the fact (already mentioned under heading II of III.iv above) that from the later fourth century onwards the emperors tended to use for the serf colonate the terminology of slavery, inappropriate as it was, in a way which the great lawyers of the earlier centuries would surely have scorned. In a constitution of c. 395, relating to the civil diocese of Thrace, the Emperor Theodosius I, while admitting that its *coloni* were technically 'of free status' (*condicione ingenui*), could add the sinister phrase that they 'must be regarded as slaves of the very land to which they were born' (*servi terrae ipsius cui nati sunt aestimentur*), and could allow their *possessor* to exercise over them 'the power of a master' (*domini potestas*: CJ XI.lii.1.1). A few years later the Eastern Emperor Arcadius declared that it was 'almost the case' that serf *coloni* (here called *coloni censibus adscripti*), although admittedly *liberi*, seemed to be 'in a kind of servitude' (*paene est ut quadam servitute dediti videantur*: CJ XI.l.2.pr., probably to be dated 22 July 396: see Seeck, RKP 132, 291). Between 408 and 415 Theodosius II, in a vivid phrase, referred to 'all those whom Fortune holds bound by the chains of their inherited fields' (*omnes quos patrimonialium agrorum vinculis fortuna tenet adstrictos*: CJ XI.lxiv.3) – a curious phrase, paralleled in an earlier constitution of Gratian and his colleagues, in 380, speaking of 'persons owed to the law of the fields' (*iuri agrorum debitas*), to which they are to be brought back (CTh X.xx.10.1 = CJ XI.viii.7.1). In a constitution of 451 the Western Emperor Valentinian III ruled that the children of a free woman and a slave or *colonus* must remain as *coloni* (*colonario nomine*) under the control and ownership (*in iure et dominio*) of those on whose lands they were born, except in the case of a woman who had beforehand been given formal notice (*denuntiatio*) that she might not enter into such a union, in which event the children were treated as slaves: there is a reference to the former being held by *nexus colonarius*, the latter by the *condicio servitutis* (Nov. Val. XXXI.6; cf. CTh IV.xii.4–7). From the mid-fifth century onwards we begin to hear of a particular kind of serf *coloni* known as *adscripticii* (*enapographoi* or *enhypographoi* in Greek),⁴¹ who in the West are called *tributarii*, *originales* or *originarii*, and whose status began to verge towards that of slaves. (Their precise nature is still disputed, but I believe the account given by Jones to be substantially right: LRE II.799–803; RC, in SAS, ed. Finley, 298–302; RE 417.) In 530 the Emperor Justinian found some difficulty in distinguishing between *adscripticii* and slaves: 'What difference can be detected,' he says, 'between slaves and *adscripticii*, when each of them has been placed in the power of his master (*dominus*), who can manumit the slave with his *peculium* and alienate the *adscripticius* with his land?' (CJ XI.xlviii.21.1). A few years later Justinian could describe it as 'contrary to human nature' (*inhumanum*) to defraud the land of its *adscripticii*, 'its very limbs [*membra*], as it were': the *adscripticius* 'must remain and adhere to the land' (*remaneat adscripticius et inhaereat terrae*: ibid. 23.pr., of the early 530s).⁴² Significantly, Justinian treated marriages between *adscripticii* and free persons as governed by the rules of Roman law regulating unions between free men or women and slaves (CJ XI.xlviii.24, very probably of 533; Nov. J. CLXII.1–3, of 539). The legal issue was not really settled even yet, and Justinian, as so often, kept changing his mind

(see Jones, in SAS, ed. Finley, 302 n.75); but whatever the legal situation might be, the emperor was determined that every single *colonus* should be made to remain on the land on which he was born – that, he says, in a very curious phrase, is what the very name of *colonus* signifies (Nov. J. CLXII.2.1, of 539).

One of the most interesting documents we possess, dealing with the Later Roman colonate, is a very short letter of Sidonius Apollinaris to his friend Pudens, which must have been written in the 460s or 470s (Ep. V.xix). Its terminology is worth special attention. The son of Pudens' nurse, a dependant of Pudens, had raped the daughter of Sidonius' nurse. Pudens had begged Sidonius not to punish the man, and Sidonius now agrees on condition that Pudens releases him from his *originalis inquilinatus* and thus becomes his *patronus* instead of his *dominus*: this will enable the ravisher, as a *cliens* of Pudens instead of a *tributarius*, to take on the character of a *plebeius* instead of a *colonus* (*plebeiam potius . . . personam quam colonariam*) and thus to achieve *libertas* and marry the woman, who was already free (*libera*). The man, although not a slave, and of course not requiring to be manumitted, cannot be regarded as fully free until Pudens, his 'master', recognises him as no longer a *colonus*, *inquilinus*, *tributarius*, but now a free *plebeius* and a *cliens*.

22. In §§ 20 and 21 I have been speaking of what I have called 'the working rural population', who in the late third century were bound to the land (freeholders to their villages, and those who were only tenants and had no freehold land of their own either to their villages or to their particular farms or plots), although for reasons I have already mentioned much less pressure was put upon the freeholders – provided they duly paid their taxes. Historians (and lawyers) not sufficiently familiar at first hand with the literary as well as the legal evidence for the colonate are apt to think of the long series of laws we are now discussing as affecting only leasehold *tenants*; but this is quite wrong, because by no means all leaseholders were bound, in the fourth century and later, and at the beginning of the process most if not all working peasant *freeholders* were bound too, in the areas in which the serf colonate was introduced. This mistake is made, for example, by Finley, who speaks of the Codes as providing evidence that 'from Diocletian at the end of the third century, *tenants* were tied, not free', and adds that 'with the disappearance of the free tenant [presumably with Diocletian] went the disappearance from the legal texts of the classical Roman tenancy contract' (AE 92, my italics). This formulation is most misleading as it stands. In the first place, in so far as it has any validity at all it applies only to the Latin West, not to the Greek East. In at least some parts of the Greek East there were even among working peasants (as can be seen from the papyri) a considerable number of tenants, including some apparently quite humble ones, who were not 'tied' but took leases for short terms.⁴³ Finley's statement was perhaps taken from the one work he refers to: an article by a distinguished Roman lawyer (Ernst Levy, RPGL, 1948) which hardly makes it sufficiently clear that it is concerned almost entirely with the West alone, and moreover shows altogether inadequate knowledge of the non-legal sources, even for the West (see the next paragraph). A book by Levy, published eight years later, is explicitly devoted to the West and does draw a contrast with the East on the very point we are considering (WV 251–75, esp. 251 n.476); but again it shows unawareness of important literary and papyrological evidence. The overall picture of Later Roman leasing from

the strictly legal point of view is rather better presented by Max Kaser (*RP* II² [1975] 400-8). Although paying too high a compliment to Levy's book by referring to it as 'grundlegend', he does at least draw a series of contrasts between West and East. However, even he, in my opinion, exaggerates and antedates the decline in the West of the Classical Roman contract of lease, *locatio conductio*, in his almost exclusive reliance on legal sources.

In fact people we may conveniently refer to as 'head lessees', who did not themselves work the land they held (often either imperial domain, leased from the *res privata*, or else Church property), but let it out to working tenants, *coloni*, were not tied to the land at all: these are the *conductores* (in Greek, *misthōtai*) who still turn up frequently in the Codes and Novels, in papyri, and in literary sources. Leasing according to the traditional pattern, without involving any enserfment (see e.g. *CJ* XI.xlviii.22.pr., 1, of A.D. 531), continued even in the West into the late sixth century and beyond: there is ample evidence for this, well summarised by Jones, *LRE* II. 788-92 (with III.252-5 nn.44-50; and see 97 n.13). The lessees concerned varied greatly in status. In a papyrus from the Ravenna collection dated 445-6 (*P. Ital.* 1) we find that some of the *conductores* who took leases from a retired high official (a former Grand Chamberlain) were able to pay very high annual rents, amounting to hundreds of solidi (up to 756), for blocks of estates (*massae*) in Sicily.⁴⁴ These were evidently men of substance; but at the opposite extreme we come across *conductores* who were actually slaves. I have already referred to Ampliatus, who appears in a letter of Pope Gelasius in the 490s as a slave-conductor of the Roman Church.⁴⁵ There is also the enterprising man Clarentius, claimed by Pope Pelagius I (*Ep.* 64) in 559 as the son of a female slave of his Church (who would therefore himself be legally a slave of that Church): he is said by Pelagius to have acquired a *peculium* of his own, including a small farm (*agellus*), and even to have had the audacity to pass himself off as a *curialis*;⁴⁶ he was to be returned to the ecclesiastical *massa* whence he originated. The most interesting literary evidence of all is provided by the letters of Pope Gregory the Great (590-604), showing that the vast estates of the Church of Rome, the *patrimonium Petri*, were still very often let to *conductores*, who sublet to *coloni*.⁴⁷ In 592 there were no fewer than four hundred of these *conductores* on the estates of the Roman Church in Sicily alone (*Ep.* II.38);⁴⁸ and the same system of exploiting its lands was employed by that Church in other areas, notably Gaul. A letter of Gregory's written in 595 is addressed 'To the [head] lessees of the estates or farms [of the Roman Church] throughout Gaul' (*conductoribus massarum sive fundorum per Galliam constitutis*): *Ep.* V.31. (Among many other interesting letters of Gregory there are two, *Ep.* II.38 and V.7, of A.D. 592 and 594 respectively, which contemplate the possibility of bribing Jewish tenants to convert to Christianity by offering them reductions, up to one third, of their rents, *pensiones* - which, incidentally, were paid in gold: sums of from one to four solidi per year seem to have been common.) Further literary evidence for Late Roman *conductores* is not hard to find: see e.g. Symm., *Ep.* IV.68; IX.52; and later (between c.507 and c.536) Cassiod., *Var.* I.16; II.25; V.39; VIII.33; XII.5 (of which V.39 relates to Spain, the others either to Italy in general or to Apulia or Lucania and Bruttium). I may add that I could cite over thirty laws, mostly issued in the West, from the Theodosian Code and the fifth-century Novels, which speak of *conductio* or *locatio*, *conductores* or *locatores*,

and the rents (*pensiones*) payable under these contracts, not to mention other texts.⁴⁹ It is indeed impermissible to speak of the disappearance of the contract of *locatio conductio*, even in the West, in the period covered by this book. And peasant freeholders, although over all a declining group, especially in the West, still survived in considerable numbers throughout the Later Empire, at any rate in the Greek East;⁵⁰ and, as we have seen, many of them were also 'tied' to their villages. (That freeholders as well as tenants were tied has often been overlooked; but it was noticed, for Egypt, by Gelzer, although not very clearly stated, in a book published seventy years ago, *SBVA*, 1909, which remained unknown to Jones: see n.37 again.)

23. Apart, then, from landowners and 'head lessees' who belonged to my 'propertied class' (III.ii above) and are not to be reckoned among those I have called the 'working agricultural population', we can recognise four broad groups among the non-slave working agricultural population:⁵¹ (1) peasant freeholders, of whom an unascertainable and varying (perhaps decreasing) proportion were tied to their village communities; (2) free leasehold tenants; (3) those tenant serfs who were yet technically of free status, and (4) *adscripticii*, serfs who by the sixth century at least had become scarcely distinguishable from slaves. It is impossible to make even an informed guess about the relative proportions of these groups, which will have varied greatly from place to place and from time to time. Some people today might wish to confine the term *colonus* to my third and fourth groups, who alone were 'serfs' in the strict sense (see III.iv above). The sources, however, even the legal texts, sometimes use the word *coloni* more loosely, in my opinion, in such a way as to include at any rate those of my first group who were in fact tied to their villages, and perhaps all or virtually all working peasants (cf. Stein, *HBE* II.207-8, esp. 208 n.1). Tied freeholders, of course, do not in strictness fulfil my definition of serfs; but, as I have explained in III.iv above, if they paid heavy taxation they were not really in a very different position from serf-tenants, and I refer to them as 'quasi-serfs'.

Agricultural slaves, while legally retaining their servile status, benefited during the fourth century from a series of imperial enactments (for which see III.iv § II above and its n.16 below). These culminated about 370 in a law which forbade selling them apart from the land where they were registered in the census (*censiti*: *CJ* XI.xlviii.7.pr.), and thus raised them in effect to a serf-like condition. If manumitted, they would have to remain on the land they had been cultivating, as *adscripticii*. Pope Gregory the Great, who was determined to enforce the laws forbidding Jews to possess Christian slaves, gave orders that the Christians owned by Jewish tenants on the estates of the Roman Church at Luna in Etruria should, after being freed, remain on the same land and perform 'all those services which the laws prescribe concerning *coloni* or *originarii*' (*Ep.* IV.21, of A.D. 594).

* * * * *

Before I leave this section I must face a problem (perhaps of greater interest to Marxists than to others) which I have so far ignored. It concerns the intermediate period, if I may call it that, between the general use of *slave labour* as the principal way in which the propertied class obtained its surplus, and large-scale *serfdom*, which (as we have seen) did not come into existence until the very end of

the third century and in some areas was not complete until the late fourth century (as in Palestine) or even the early fifth (as perhaps in Egypt). This 'intermediate period' may be conceived as beginning at very different times in different areas, and it may be that some people will deny its existence altogether. But I believe that most historians who interest themselves in problems of this sort would be prepared to see it as coming into existence at some time during the first two centuries. We must then face the difficulty: during this 'intermediate period', must not a rather large proportion of the propertied class have derived its surplus more (perhaps much more, in some places) from letting its land to free tenants than from working it directly with slave labour? And if so, have we any justification for continuing to speak of that surplus as being derived from the exploitation of 'unfree labour' at all, before the introduction of serfdom at the beginning of the Later Roman Empire?

My answer to this question can be divided into three parts.

(i) First, leasing land to a free tenant must as a rule yield a smaller profit to a landowner than working it directly with slaves, since the tenant will need to provide himself and his family with a livelihood out of the produce of the land, before he can pay rent or taxes. Leasing is simply not considered as a desirable method of exploiting one's land by the Roman agricultural writers, unless the land is situated in an unhealthy district, where the landowner would be ill-advised to risk employing valuable slaves, or at such a distance that he cannot give the necessary regular supervision (Colum., *RR* I.vii.4,6-7). Therefore, landowners eager for profit would be unlikely to resort to leasing, unless they could not obtain the necessary slave labour, or could not exploit a particular piece of land adequately because it involved more personal supervision than they were willing or able to give it, or because they could not procure efficient stewards.

(ii) Next, the use of slaves must not be thought of as necessarily or even ordinarily absent when land in antiquity was leased. A leasehold tenant might have his own slaves, in which case he would in principle be able to derive a greater profit from the land and as a result pay a higher rent. Far more often, it seems, at any rate in the early Principate, slaves were supplied by the landlord as part of the *instrumentum* (the equipment) of the farm; and of course, if a tenant works a farm with slaves provided by the landowner, the latter profits from the labour of the slaves, because he can charge the tenant a higher rent. I referred in § 18 above to the two main passages in the *Digest* defining the *instrumentum* of a farm. One, from Ulpian, describes what items are 'customarily' supplied by way of *instrumentum* when a farm is leased, so as to become the subject of a legal action if they are not included (*si quis fundum locaverit, quae soleat instrumenti nomine conductori praestare*: *Dig.* XIX.ii.19.2); but of course any items might be added or excluded by explicit agreement. (This is so, even if the words 'nisi si quid aliud specialiter actum sit' are an interpolation.) The *Digest* texts, which also speak of bequests of a farm 'supplied with slaves' (*instructus*³² *cum mancipiis*, etc.), show that slaves (although not mentioned in *Dig.* XIX.ii.19.2) were frequently contained in the *instrumentum*, and they might evidently in some cases be quite numerous and varied and include bailiffs or supervisors (*vilici et monitores*), as well as various specialists (*Dig.* XXXIII.vii.8.pr., 1), with their 'consorts' (*contubernales*: *ibid.* 12.33; cf. 27.1), who in other texts, as we saw at the

end of § 10 above, are actually called 'wives' (*uxores*). We often hear of bequests of landed property that include 'rents outstanding from tenants', *reliqua colonorum* (see §§ 13[b] and 18 above); and sometimes slaves are mentioned as well (e.g. *Dig.* XXXIII.vii.27.pr., 1) – although in the latter case we need not assume that part of the land is being worked directly, for the slaves may simply be those handed over to tenants; and when we find another text referring to 'farmers furnished with their overseers and rents outstanding from tenants' (*fundos . . . instructos cum suis vilicis et reliquis colonorum*: *ibid.* 20.pr.; cf. XX.i.32), the overseers, mentioned alone without other slaves, surely have the function of supervising cultivation by tenants. Dorothy Crawford has drawn attention to the fact that 'vilicus-management' on the imperial estates which she has studied in many parts of the Roman empire 'often went together with leasing' (in *SRP*, ed. Finley, 50). Installing such men as overseers would be all the more necessary when the tenants were share-croppers. When Pliny the Younger was faced with declining returns from his north Italian farms and was thinking of going over to what came to be called *colonia partiaria* (share-cropping, *métayage*), he realised that he would have to put in some of his own slaves as overseers (*operis exactores, custodes fructibus*: *Ep.* IX.xxxvii.2-3). Earlier he had brought slaves from his city household, *urbani*, to supervise his *rustici*, during a vintage (xx.2); these *rustici* may be either tenants or (as I think much more probable) slaves.³³ And in one of the most important of his many letters referring to his estates, Pliny speaks of the resources of the tenants on an estate he had acquired as having been gravely reduced by the fact that the previous owner had on several occasions forfeited their securities ('sold their pledges', *vendidit pignora*, III.xix.6), thus in the long run increasing their arrears. The *pignora* evidently included slaves, for Pliny now regrets that he himself will have to provide the tenants with efficient and expensive slaves (*ibid.* 7). Pliny goes on to speak of the value of the estate in question as having been reduced from five to three million sesterces: he attributes this to what he conceives as a prevailing recession (*communis temporis iniquitas*) and the current *penuria colonorum* – an expression which (as I said in Section ii of this chapter) must refer to the shortage of available tenants rather than to their poverty. Certainly Pliny complained in another letter of the difficulty he was having in finding 'suitable tenants' (*idoneos conductores*, VII.xxx.3).

There are many indications that slaves were being used to an appreciable degree in agriculture throughout the Principate and beyond, though no doubt much less in Egypt (as always) than in other parts of the Greek world. For example, in Hadrian's law concerning the sale of oil produced in Attica about A.D. 125 we find it taken for granted that a slave or freedman will be in charge of production (*IG* II².1100 = A/J 90, lines 15-18). A law issued by Constantine in 318 seems to assume that a decurion will have both urban and rural slaves (*mancipia, urbana* and *rustica*: *CTh* XII.i.6). Even in the handful of surviving census records of the late third or early fourth century from which it is possible to make some estimate of the relative sizes of the free and slave labour forces in two or three places in Asia Minor and the Aegean, slaves do appear; and if in some areas they seem to constitute but a small porportion of the registered agricultural population, they also turn up elsewhere in households of 20 or more (see Jones, *RE* 228-56, esp. 242-4; cf. 296-7 = *SAS*, ed. Finley, 292). And when in many imperial constitutions of the fourth and fifth centuries we hear of

overseers (*actores* and/or *procuratores*, occasionally *vilici*), they often appear to be conceived as slaves.⁵⁴ (Cf. III.iv above and its n. 14 below.) It is seldom if ever possible to tell whether these men are supervising the employment of direct slave labour: probably many if not most of them would spend at least part of their time controlling the activities of humble *coloni*. In view of the reluctance of free Greeks and Romans in general to take long-term hired service (see III.vi above) and the disinclination of many members of the propertied class in late antiquity to spend time supervising their estates (see above), the function of slave (and freedman) overseers was essential, and I would see them as playing a very important role in the economy, perhaps far more so than has been generally realised. (On the traditional functions of a *vilius*, see Toynbee, *HL* II.576–85.) If we speak of a 'decline of slavery' in the early centuries of the Christian era, we must not forget that slaves (and freedmen) always played a major part at the highest level, in providing the propertied class with their incomes.

I suspect, too, that we may tend to underestimate the actual number of slaves usefully employed in the Later Empire. Occasionally mass enslavements might occur, usually as a result of war. Perhaps the most remarkable example is the defeat of the horde of Goths and others led by Radagaisus across the Danube and into north Italy in 405–6 (see e.g. Stein, *HBE* P.i.249–50), when we are told that some of the captured barbarians were sold off at one solidus per head – perhaps about one-twentieth of the usual price of slaves about this time (see Jones, *LRE* II.852; III.286 n.68). A generation earlier, in 376–7, when vast numbers of Visigoths were allowed to cross the Danube and settle in Roman territory (see Appendix III below, § 19b), the Roman officials Lupicinus and Maximus are said by Ammianus to have taken advantage of their inability to obtain sufficient food by selling them dogs to eat, in exchange for humans, who thereby became slaves: one dog would be given in exchange for a slave, who might even be the son of a leading Goth (Amm. Marc. XXXI.iv.11). In the *Expositio totius mundi et gentium*, a survey of much of the Roman empire, of very uneven value (written in 359, according to its latest editor, Jean Rougé, *SC* 124, 1966), we find but two references to slaves, both using the technical term *mancipia*. In its ch. 60 Mauretania is said to be an area which exports slaves, and in ch. 57 Pannonia is described as 'in part, rich also in slaves' (*terra dives . . . ex parte et mancipiis*). These statements may well be true, in the sense that in both areas there were at the time numbers of 'barbarian' captives: in Pannonia at any rate, if we can date the work in 359, the Emperor Constantius II, as Rougé points out, had just brought to a successful conclusion his campaigns against the Sarmatians. A letter of St. Augustine, written at the end of the second decade of the fifth century, speaks of 'innumerable barbarian peoples', as yet ignorant of the Gospel, from among whom captives are taken and enslaved by the Romans and are then given religious instruction (*Ep.* 199.46). [See also Evagr., *HE* V.19 (c. A.D. 581).]

In one case, from the first decade of the fifth century, in which we happen to have many details (whether accurate or not) of the estates of a particular person, St. Melania the Younger (or of Melania and her husband Pinianus), we hear in one source (the *Latin Life*, § 18)⁵⁵ of her owning sixty farms or hamlets (*villulae*), each with 400 agricultural slaves (*servi agricolores*), and in another source of her offering freedom to her slaves, a gift accepted by 8,000 who wanted it (Pallad., *Hist. Lausiaca*, 61). Many other texts in the fifth and sixth centuries mention

agricultural slave households in smaller numbers.⁵⁶ It is worth noticing in particular the will of St. Remigius, bishop of Rheims, which gives an exceptionally detailed picture of the landed property of a moderately well-to-do Gallo-Roman of the first half of the sixth century. This, I believe, can be taken as fairly representative of the estates of a substantial section of the men of moderate wealth throughout the empire, in the Greek lands as well as the Roman West. The will, in its shorter form (which unlike the longer one can be accepted as genuine),⁵⁷ disposes of fifteen parcels of land in the territory of Rheims and of 81 named individuals (52 men and 29 women), some of them with families, amounting to roughly a hundred persons in all, partly *coloni* and partly slaves, constituting the work-force of the land. (The farms and their workers seem to have made up virtually the whole of Remigius' property.) Fifteen or sixteen of the individuals bequeathed are evidently slaves, twelve are called *coloni*; of the others it is uncertain whether they are *coloni* or slaves.⁵⁸ Although a majority of the work-force in this case are likely, I think, to have been *coloni*, it is quite possible that not many fewer than half consisted of slaves, some of them slaves of the *coloni*.

(iii) Finally, I would again emphasise the universal and unquestioning acceptance of slavery as part of the natural order of things, which during the Principate still pervaded the whole of Greek and Roman society – and of course continued in the Christian Empire just as in earlier times (see VII.iii below). Slavery continued to play a central role in the psychology of the propertied class. And here I would refer again to what I said earlier about debt bondage: every humble free man must always have been haunted by fear of the coercion, amounting to slavery in all but name, to which he might be subjected if he ever defaulted on a debt to a rich man – including the payment of rent, of course, as I have pointed out above.

I therefore see no serious difficulty in the objection I have discussed, and I feel justified in re-stating what I said near the end of III.iv above: that slavery was indeed the archetypal form of unfree labour throughout Graeco-Roman antiquity.

I have said nothing in this section about hired labour, a subject treated at some length in III.vi above (see esp. its n. 19 below on the Roman period).⁵⁹

(iv)

The military factor

There is one aspect of the situation of the peasantry in the ancient world which I have no space to discuss properly but which needs to be carefully examined; and I offer some reflections for consideration. One view of the decline of Roman power, especially in the West – which might commend itself, *prima facie*, to some self-styled Marxists in particular – is as follows. It is an established fact that the next great advance in Europe, namely capitalist society, was to develop not on the basis of communities of small, free, independent peasants but out of urban elements growing up inside feudal regimes the economic base of which had always been a peasantry mainly held in a very subject condition, often outright serfdom. As Max Weber put it, 'At the time of the decline of the Roman Empire the future belonged to the development of large landownership'

(RA 264). Therefore, it could be maintained, the enslavement of the Late Roman peasant was ultimately, in the long view of history, beneficial to human progress, since it facilitated, over several centuries, a new and better form of society which could never have developed spontaneously out of a largely peasant economy. As those who are fond of this detestable phrase might like to put it: '*History was on the side of the great landowner, with his serfs, not of the small, free, independent peasant.*'

There may be some truth in this view, but it ignores an element in society to which I rarely have occasion to pay serious attention in this book, but which must now be allowed to come to the fore: military efficiency. When a society is dangerously threatened from the outside, as the Greeks and Romans were on various occasions, its very survival may depend upon its military prowess. Here, in individual cases, factors peculiar to the situation may sometimes be decisive: sheer weight of numbers, technological efficiency, an unforeseeable disaster like a plague, or the death of a gifted leader (Attila's in A.D. 453 is an obvious example). But many of us – and not only Marxists – would say that military success, at least in the long term, is largely dependent upon economic and social as well as political factors. It was certainly the growth of a free and fairly substantial peasantry in Greece in the Archaic and Classical periods which produced the hoplite armies that frustrated the might of the Persian empire at Marathon and Plataea (B.C. 490 and 479). The success of Greek over Persian fleets in a few decisive engagements (above all, of course, Salamis in 480) was due above everything else to the indomitable fighting spirit of their sailors and marines; and no one will doubt that this spirit was inseparably bound up with the *polis*, a political community of free men based upon fairly widely diffused landownership and access to political rights by the whole citizen body or at least the more well-to-do members of it. The successful armies of Philip II and Alexander the Great were highly professional, but were based upon a sudden great access of landed wealth, in varying degrees, to the formerly insignificant Macedonian peasantry and aristocracy, producing not only cavalry which was more than a match for that of the Persian aristocracy, but also excellent infantry, in which the Persians of the Achaemenid period (mid-sixth to late fourth century B.C.) were entirely wanting. The irresistible military power of Rome in her great days was similarly founded upon a free peasantry, at first conscripted, then, especially during the Principate, furnishing recruits in large measure voluntarily to a standing professional army (although conscription was still often employed).¹

For some three and a half centuries before the mid-third century of the Christian era there had been no major external threats to Rome: after initial disasters, the German tribes which invaded Gaul and Italy in the last years of the second century B.C. were effectively destroyed, and although the Parthians could cause anxiety, they were no more than an intermittent nuisance to Syria and Palestine. The German Marcomanni and Quadi were very troublesome in the reign of Marcus Aurelius, in the 160s and 170s (see VIII.iii below), but they were eventually contained. Then, from the mid-third century onwards, barbarian pressure on the frontiers of the empire became severe, if in fits and starts; and the Sassanid kingdom in Persia (A.D. 224–636) became a

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1. As I have just shown, from the second quarter of the third century onwards pressure on the frontiers of the Roman empire became much greater and tended to go on increasing, and the defence of the frontiers therefore became a matter on which the empire's survival rested.
2. In the circumstances of the time, the necessary standing army had to be raised largely from the peasantry.
3. In order to provide sufficient recruits of strong physique and potentially good morale, it was therefore essential to maintain a reasonably prosperous and vigorous peasantry.
4. On the contrary, as land, during the early centuries of the Christian era, became increasingly concentrated in the hands of a few owners (throughout most of the West and also, to a less extent, over a large part of the Greek East), the condition of a substantial proportion of the agricultural population became more and more depressed, until before the end of the third century most working peasants (as we saw in the preceding section of this chapter) were subjected to forms of serfdom or quasi-serfdom.
5. In the *strictly economic* sense, this may or may not have been a progressive development. (Whether or not it promoted the efficient use of scarce resources is a question that deserves investigation, but which I do not yet feel able to answer confidently.)
6. *Socially and militarily*, however, the process I have described was very harmful, since the peasants became increasingly indifferent towards the maintenance of the whole imperial system, most of the burden of which fell heavily upon them; and the morale (and probably the physique) of the army deteriorated, with the result that much of the empire disintegrated by stages between the early fifth century and the mid-seventh.
7. The maintenance of a relatively prosperous peasantry, sufficiently numerous to provide the large number of recruits needed for the army and willing to fight to the death in defence of their way of life (as the free Greeks and

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7. The maintenance of a relatively prosperous peasantry, sufficiently numerous to provide the large number of recruits needed for the army and willing to fight to the death in defence of their way of life (as the free Greeks and

the early Romans had been), might have made all the difference and might have preserved the unity of the empire very much longer.

* * * * *

The statement I have made in § 7 above becomes more than a mere hypothesis when we look at what happened in the Byzantine empire, where the success of the imperial armies against invading Persians, Avars, Arabs, Bulgars and other Slav peoples, Magyars, and Seljuk and Ottoman Turks, from the time of Heraclius (610–41) onwards, depended to a considerable degree on the condition of the peasantry which still provided the bulk of the recruits. I need say no more on this subject here, as it has been admirably dealt with by the great Byzantine historian Ostrogorsky.⁴ The tenth and eleventh centuries were the decisive period: after the death of Basil II 'the Bulgar-Slayer' (976–1025), the landed magnates (the *dynatoi*) finally triumphed, and the army gradually disintegrated.

Much the same situation has existed down the ages, until the nineteenth century. As Max Weber said,

The need for recruits was the reason why the mercantilist rulers during the epoch of 'enlightened despotism' curbed big enterprise in agriculture and prevented enclosures. This was not done for humanitarian reasons and not out of sympathy with the peasants. The individual peasant was not protected – the squire could drive him out without any scruples by putting another peasant in his place. But if, in the words of Frederick William I, 'a surplus of peasant lads' was to be the source of soldiers, such a surplus had to exist. Therefore, any reduction in the number of peasants through enclosures was prevented because it would endanger the recruitment of soldiers and depopulate the countryside (SCDAC 270).^{4a}

It was also Weber who pointed out, in one of his most inspired passages, that in Renaissance Europe there was one conspicuous exception to this situation: England, the exception which – we may legitimately say, for once – proves the rule.

The free labour force necessary for conducting a modern factory . . . was created in England, the classical land of the later factory capitalism, by the eviction of the peasants. Thanks to its insular position England was not dependent on a great national army, but could rely upon a small, highly trained professional army and emergency forces. Hence the policy of peasant protection was unknown in England, although it was a unified State early on and could carry out a uniform economic policy; and it became the classical land of peasant eviction. The large labour force thus thrown on the market made possible the development first of the putting-out and the domestic small master systems and later of the industrial or factory system. As early as the sixteenth century the proletarianising of the rural population created such an army of unemployed that England had to deal with the problem of poor relief (Weber, *GEH* 129 = *WG* 150).^{4b}

I do not wish to be dogmatic on this subject; but it does seem to me that societies which depend largely upon armies recruited from their peasants are much more likely to be destroyed or at least damaged by invaders from outside if they allow the bulk of their peasants to be so oppressed and exploited that they lose interest in the maintenance of the regime under which they live. Naturally, a society in which wealth is mainly in land is likely to be dominated by its great landowners. Sometimes, however, such a society – at any rate if political control of it is concentrated, as in the Roman and Byzantine empires, in the hands of a single ruler who knows that he is personally responsible for the fate of his whole kingdom – may be forced to acquiesce in measures designed to protect the

peasantry upon which, as its potential soldiers, its very survival depends. The policies of several of the Byzantine emperors, above all Romanus I Lecapenus and Basil II, were strongly in favour of the independent peasants and against the appetite of the magnates for ever-increasing acquisition of great estates; and indeed there is intermittent legislation by the Roman emperors from the third century onwards, attempting to curb the activities of the *potentiores* which were seen as a threat to the security of the empire as a whole (see n. 4 again, also VIII.iv and its n. 43 below).

For the man who actually had to work with his own hands (the *autourgos*, as the Greeks called him), farming was universally believed to provide the ideal training for the military life: this is explicit in Xenophon and other writers, including Cato, Pliny the Elder and Vegetius.⁵ On the other hand, 'the mass of artisans and those with sedentary occupations' (*opificum vulgus et sellularii*) were thought to be the least suited of ail to military service; and in Republican Rome it was only on exceptional occasions that they would be called up, as in 329 when a Gallic incursion was thought to be imminent (Livy VIII.20.3–4). I know of no parallel to the attempted levy of soldiers from the urban slave households of Roman senators in the crisis of 398, revealed by Symmachus, *Ep.* VI.58, 64. Vegetius, writing probably near the end of the fourth century of our era, innocently reveals the essential contribution made by the poverty of the peasant to his military qualities: the more frugal one's life, the less one fears death! ('Ex agris ergo supplendum robur praecipue videtur exercitus; nescio quomodo enim minus mortem timet qui minus deliciarum novit in vita': *De re mil.* I.3.) Poverty and frugality, however, are relative; and below a certain limit poverty can become deleterious and insupportable, and may even lead to a decline in population, as many historians think it did in the Middle and Later Roman Empire (see e.g. Jones, *LRE* II.1040–5).

Now we must surely admit that the attitude of the peasantry in both Eastern and Western parts of the Roman world during the Later Empire in the face of barbarian irruptions and conquests was extraordinarily passive and indifferent. I must say, I have only come across one case in the Graeco-Roman world in which the government is actually seen ordering the inhabitants of the countryside to confine their attentions to agriculture and leave all military action to the army: this was in the summer of 536, when Justinian's forces from Sicily under Belisarius were moving into southern Italy, and a Gothic army had been mobilised against them in Lucania and Bruttium. Cassiodorus, as praetorian prefect of the Ostrogothic kingdom of Italy during the brief reign of Theodahad, admitted the depredations of the Goths against the peasants but ordered the local governor to restrain rash initiatives on the part of the *possessores* (*contineat possessorum intemperantes motus: Var.* XII.5). He strictly forbade individual lessees of great estates (*singuli conductores massarum*) and the important landowners (*possessores validi*) to take up arms and concern themselves with the fighting: they were to take pleasure in the thought that others were fighting the foreign enemy on their behalf. Evidently the government was afraid of armed assistance being given to Belisarius; but I would not care to say whether the people Cassiodorus was most nervous about were the mass of peasants or the landowning class – the language I have quoted certainly suggests the latter, for elsewhere Cassiodorus normally uses the words *possessores* and *conductores* for

landowners and head lessees (see e.g. *Var.* II.25; V.39; VIII.33).

Jones justifiably speaks of 'the passive inertia of the civil population, high and low, in the face of the barbarian invasions', and gives many examples. As I shall demonstrate, he is too inclined to ignore or discount some of the evidence showing that many humble folk in the Roman empire might evince a positive preference for barbarian rule, as being less oppressive than that of the emperors (cf. VIII.iii below). But in the main he is certainly right in emphasising that 'the peasantry were in general apathetic and docile' (*LRE* II.1061; cf. IV.ii above). They usually remained passive, although if they were formally conscripted into the army, or were pressed into service either against the barbarians (often on the initiative of local notables) or by the barbarians against an imperial army, they might fight obediently enough until released.⁶ (Discipline in the Roman army was virtually always such that once a recruit was enrolled he was completely obedient to his commanders: see below.) On one occasion, during the conflict in 546 between Justinian's forces and the Ostrogoths in Italy under Totila, we even hear of peasants being impressed into both armies and fighting a battle against each other.⁷ Perhaps the most striking example of what seems to be spontaneous military action by peasants is attributed to some villagers of the region of Edessa in Mesopotamia by the contemporary *Chronicle* of 'Joshua the Stylite' (§§ 62-3). We are told that in 503 the villagers greatly impressed the Roman general Areobindus by making sorties from the city against the invading Persian army, after Areobindus had ordered the garrison not to take aggressive action. The outlines of the story may well be correct (see esp. § 63 *init.*), even though miraculous happenings tend to creep into the chronicler's narrative when he is dealing with the holy city of Edessa (see §§ 5 and 60 for the reason).

The view expressed by some scholars that the peoples subject to Rome were forbidden to manufacture and possess arms has recently been attacked by Brunt (*DIRDS*).⁸ He is clearly right to point out that it would anyway not have been possible to stop the manufacture of arms in village smithies; and that apart from occasionally prescribing disarmament as a temporary move immediately after a capitulation or in very special circumstances, Rome was quite willing to allow a certain amount of armed force to remain at the disposal of the local ruling classes, who were 'left to control the masses and share in their exploitation', and who in return were mainly very loyal to Rome. 'There was no good reason for Rome to impose disarmament on any subject communities whose local governments could be counted on to show fidelity' (*ibid.* 270, 264). It is certainly relevant that we do not seem to hear of any state arms factories before the reign of Diocletian, at the end of the third century; and it was only in A.D. 539, by Justinian, that the manufacture and sale of arms was made a complete state monopoly (*Nov. J.* LXXXV). However, apart from local police forces (264 and nn.15-16) Brunt seems to be able to produce no specific evidence for any 'local militia', even for the early Principate, the period from which all his material comes. I certainly know of no such evidence for the third century or after, apart from small local levies of *burgarii* and the like to defend fortified places;⁹ and in the Later Empire, as far as I can see, there was nowhere any regular 'local militia'. Jones may not be justified in saying of the Later Empire that 'the civil population was in fact, for reasons of internal security, forbidden to bear arms'; but I entirely agree with his continuation, that what was more important was

the general 'attitude of mind . . . Citizens were not expected to fight, and for the most part they never envisaged the idea of fighting' (*LRE* II.1062). Allowing the possession of weapons does not necessarily ensure that men will be organised, and trained in the use of weapons. In Cyrenaica in the early fifth century, when it was being attacked by the nomads of the interior, Synesius could get together hundreds of spears and swords (*lonchai* and *kopides*) and a certain number of axes, but no body-armour (*hoplôn problêma*), for the militia he was organising to resist the barbarian raiders (*Epist.* 108; and see n.6 to this section). Nearly half a century later Priscus could represent the Greek whom he met in the camp of Attila (see VIII.iii below) as speaking of a general prohibition on the use of arms by Romans except in the regular army. The general view was certainly that the defence of the empire was a matter for the professional army alone; and, as I have indicated, the civil population mainly regarded fighting as something with which it was simply not concerned.

I would take seriously a passage in the speech which Cassius Dio (writing perhaps towards the end of the second decade of the third century) makes Maecenas address to Augustus, when advising him to create and isolate a standing army: 'If we allow all adult males to possess arms and practise the military arts, they will continually be the source of disturbances and civil wars', whereas if arms are confined to professional soldiers, 'the toughest and the strongest, who are generally obliged to live by brigandage [a significant admission!],¹⁰ will then support themselves without harming others, and the rest will all live in security' (LII.xxvii, esp. §§ 3-5; contrast vi.5, from the speech of Agrippa; and cf. V.iii and its n.40 below).

The limitation of arms in practice to a standing professional army, and to it alone, was a natural consequence of the very nature of the Roman empire, as an instrument of class domination. Recruits for the army, as I have said, always came primarily from the peasantry, even if from the early fifth century onwards the government, desperate to maintain agricultural manpower, had to exclude *coloni adscripticii*, tenants tied to their plots: see Jones, *LRE* II.614, with III.184 n.14. (It will surprise no one that it was the great senatorial landowners who were able to offer the most stubborn and successful opposition to the levying of recruits from their estates, even in an emergency such as the revolt of Gildo in Africa in 397.)¹¹ As I shall argue (in VIII.iii-iv below), the indifference of the mass of humble people (most of them peasants) to the maintenance of the imperial machine, under which they suffered merciless exploitation, was a prime cause of the collapse of much of the Roman empire in the West in the fifth and sixth centuries and the loss of many Eastern provinces to the Arabs in the seventh.

I would add that the army of the late Roman Republic, Roman Principate and Later Empire¹² developed a most remarkable discipline and *esprit de corps* of its own: the rank-and-file soldiers became entirely detached from their origins and were usually the obedient instruments, if not of their emperors, then of their actual officers. Except when an emperor could command general loyalty, and at rare times such as the year 69 when there was a widespread collapse of discipline, all the soldiers accepted the hierarchical principles on which Roman society was conducted and would often follow their commanders with complete fidelity into insurrection and civil war, when that was what their commanders ordered, just as into foreign wars. The civil wars of the third and fourth centuries were

invariably contests for the imperial throne (see VIII.iii below). Among the few mutinies we hear of that were not primarily attempts to secure the imperial title for some favoured officer, it is those of the armies on the Danube and the Rhine at the beginning of the reign of Tiberius (A.D. 14) of which we have the most lively and instructive account, in the *Annals* of Tacitus (I.16-30, 31-8).¹³ The speech of Percennius, the leader of the mutiny in Pannonia, is vivid and compelling in its description of the lands given to veterans on retirement, after thirty or forty years' service, as 'stinking swamps or mountain wastes' (I.17.5). And the ferocious discipline to which the common soldiers were subjected is nicely illustrated in the account of the centurion Lucilius, who had gained the nickname 'Bring me another' (*cedo alteram*) from his habit of breaking his vine-stick on a soldier's back and calling for another and another (I.23.4). Lucilius was murdered by the mutinous soldiers; Percennius, needless to say, was executed, with other leading mutineers (I.29.4; 30.1).

* * * * *

I think we should admit that when in Europe the most effective form of defence against attacks from outside (by Arabs, Turks, Magyars, Northmen and others) was found to lie not so much in the simple foot-soldier, but rather in a much more expensive military figure, the mounted and armoured knight, there would be a case, on military grounds, for a sufficiently increased exploitation of the primary producers to permit the maintenance of such figures in sufficient quantity to repel invaders. The mediaeval knight, burdensome to his society as he was, certainly played a role in preserving the heritage of Graeco-Roman civilisation in Europe against outside attack, whether we think that heritage worth preserving (as I do) or not. His role, that of doing the required *fighting*, and the accompanying one of the priest and monk, whose essential function was to do the *praying* that was generally believed to be a necessity, were accepted willy-nilly by the great mass of the people whose function was *working*; but the latter might feel they had cause for bitter complaint when the fighters ceased to give them any real protection. Rodney Hilton has recently drawn attention to the fury of the French peasants after the battle of Poitiers (1356) against the nobles 'as a whole, for not having fulfilled their duty of protection, which tradition and mutual obligation demanded of them' (*BMMF* 131). I should not wish, therefore, to assert the necessity in all circumstances for a pre-capitalist society to maintain a solid free peasantry as the basis of its military power. An even greater military burden might have to be shouldered. Nevertheless, efficient cavalry forces can in principle be maintained, in the same way as infantry, by a state which levies general taxation, rather than by allowing mounted knights to support themselves individually by the surplus labour of peasant serfs (or slaves) on specific estates. And in any case I do believe that the accumulation by a landed aristocracy of vast estates, greater than would be necessary to maintain efficient cavalry forces, is a development which can seldom if ever – and certainly not in the Later Roman Empire – be regarded as a progressive feature.

This whole subject, and the extent to which military considerations have been allowed (and should be allowed) to predominate over others in given societies, would be worth careful consideration over a very long period. I am of course

thinking only of military strength designed for use in defence against attacks from outside, not for internal police duties.

(v)

'Feudalism' (and serfdom)

This seems a convenient place to deal briefly with the subject of 'feudalism'. Throughout this book I have studiously avoided using the terms 'feudal', 'feudalism', in reference to any period or area of ancient society. These words are often used by ancient historians (even some of the most distinguished: Jones, Rostovtzeff, Syme)¹ in a slipshod way, a habit which can only be deplored. Unfortunately there is still no complete agreement among historians, even of mediaeval Europe, as to how the essential features of their 'feudalism' should be defined,² but at least they can point to certain societies which they and virtually everyone else would not hesitate to recognise as 'feudal'. There are a few mediaevalists, on the other hand, who would prefer to avoid the term 'feudalism' altogether. According to a recent writer in the *American Historical Review*, 'The tyrant feudalism must be declared once and for all deposed and its influence over students of the Middle Ages finally ended!'³ At the opposite extreme, we find a symposium published in 1956 with the title, *Feudalism in History*, investigating the question how far feudalism can be discovered in all sorts of different historical circumstances, not only in western Europe but in Japan, China, Ancient Mesopotamia and Iran, Ancient Egypt, India, the Byzantine empire, and Russia; a 'comparative study of feudalism' by the editor, Rushton Coulborn, wishes to see feudalism treated as 'primarily a method of government, not an economic or a social system', and with the relation of lord and vassal as its essential feature.⁴ We must of course leave it to the historians of other countries (Japan and China, for instance) to decide for themselves whether certain societies in their area of study can usefully be described as 'feudal' (or 'semi-feudal' or 'quasi-feudal'), provided only that they make it perfectly clear what these terms mean to them.

There are, I suppose, two principal characteristics of a society which most often lead to its being designated 'feudal' by those in the English-speaking world who are not specialists in European mediaeval history: one is the existence of something resembling the military fief of European feudalism, and the other is the presence of serfdom on a large scale. In the former case there may sometimes be little harm in making use of some such term as 'quasi-feudal'; but the existence of serfdom alone certainly does not justify the employment of any such expression,⁵ since forms of serfdom have existed in many societies which have little or no resemblance to those European mediaeval ones which have the best right to be called 'feudal'. I wish to make it clear that throughout this book any reference to 'serfs' or 'serfdom' (see especially heading II of III.iv above) must not be taken to imply any necessary or even probable connection with anything which can properly be described by terms such as 'feudal' or 'feudalism'.

There is a short definition of feudalism which I think many Western European mediaevalists would accept, and which was adopted in one place even by Marc Bloch: 'the system of vassalage and of the fief' (*CEHE* I².265-6). Pollock and Maitland suggested that 'feudo-vassalism' would be a more serviceable expres-

sion than 'feudalism'.⁶ But Bloch never for one moment forgot the economic foundation of feudalism; and indeed the formula I have just quoted occurs in a chapter entitled 'The rise of dependent cultivation and seignorial institutions', in which Bloch goes on at once to speak of the seignorial system as closely related to feudalism. And in his great work, *Feudal Society* (described by M. M. Postan, in the opening sentence of his Foreword to the English translation, as 'now the standard international treatise on feudalism'), Bloch actually begins his list of 'the fundamental features of European feudalism', occupying some eight lines, with 'A subject peasantry' (II.446).

However, many other Western mediaevalists, when they are speaking of feudalism, feel they can afford to treat the whole edifice independently of the sub-structure which sustained it, and define it entirely with reference to those free men who were each other's lords or vassals, united by bonds of fealty and the creation of benefices in the form of fiefs. When Ganshof declared, 'The way in which the word [feudalism] is used by historians in Soviet Russia and in other countries behind the Iron Curtain seems to me to be absolutely irrelevant',⁷ I feel sure it was their Marxist disinclination to forget the 'subject peasantry' which he found particularly tiresome. Postan, in his Foreword to the English edition of Bloch's *Feudal Society* to which I have already referred, has a fascinating paragraph on what he describes as

an Anglo-Soviet occasion when the two principal speakers, the Russian and the English, gave carefully composed disquisitions on feudalism which hardly touched at a single point. The English speaker dwelt learnedly and gracefully on military fiefs, while the Russian speaker discoursed on class domination and exploitation of peasants by landlords. Needless to say the Russian disquisition was packed tight with familiar Marxist furniture: the state as a vehicle of class rule, 'commodity exchange' as a solvent of feudalism, feudal economy as an antecedent of early capitalism. Yet for all its dogmaticism and ancient verbiage, the Russian use of the term appeared to bear more directly on the intellectual enterprise of history than the conventional connotation adopted by the English speaker (p. xiii).

Although I have little sympathy for the kind of mediaevalist I mentioned at the beginning of the last paragraph, I do feel that since the word 'feudalism' has some value as a generic name for a set of European mediaeval institutions of a peculiar kind, characterised in particular by vassalage and the fief, even though resting largely upon a basis of some kind of dependent labour (most characteristically serf labour), it is a pity to weaken it by extending the vocabulary of feudalism (including *féodalité*, *féodale*, *Lehnwesen*, *lehnbar* etc.) too widely. As I have already insisted, serfdom can exist and has existed in societies which have little or nothing in them that can properly be called 'feudal'. In the Hellenistic kingdoms, for example, where forms of serfdom certainly existed, only a minor role was played by the military *katoikiai* and other settlements of soldier-cleruchs which provide the nearest analogy to the fief in the Hellenistic world and have led some of the best scholars to speak of 'feudal' tenures; and there was certainly no necessary connection between the military settlements and serfdom. It seems to me regrettable, therefore, that some Marxists seem to want to call a society 'feudal' merely because it rested on a basis of serfdom. Wolfram Eberhard could even say that 'Marxist scholars' (whom he does not identify) 'tend to call feudal any society in which a class of landowners who at the same time

also exercised political power, controlled a class of farmers and often also a class of slaves' (*Hist. of China*⁴ 24).

It may be rather a pity that Marxists have been saddled by Marx himself with a terminology in which the name of 'feudalism' is given to the 'mode of production' in *Western Europe* out of which capitalism emerged. Terms such as 'the feudal mode of production' are perhaps too deeply rooted in Marxist writing to be replaced by any such alternative as 'the mediaeval Western European mode of production'. But Marxists ought to remember – as they too often fail to do – that Marx and Engels described feudalism at one point in the *German Ideology* as 'the political form of the mediaeval relations of production and intercourse' (*MECW* V. 176); and at all costs they must avoid using the terminology of feudalism in such a loose way that it could be made to fit, for example, the society of the Later Roman Empire. The usage of which Eberhard complains (if he is not misrepresenting his 'Marxists') would extend, indeed, to most pre-capitalist societies, including the greater part, if not the whole, of Graeco-Roman antiquity! Of course there are borderline cases, such as Hittite society in Asia in the second millennium B.C.: I need refer only to R. A. Crossland's admirably compressed summary, in which he says that 'The Hittite state was a feudal society, in the sense that a large sector of its economy was organised to provide a trained army, and that there were in it social divisions based on tenure of land under the obligation to perform military service for the king'.⁸ I shall not myself presume to lay down a definition of feudalism. There have been several recent discussions of the subject in English. If what is wanted is a Marxist analysis of the expression 'feudal mode of production' which would limit that term strictly to the society of mediaeval Western Europe, to which alone (I think) Marx applied the expression, then I would prefer Perry Anderson's (*PAF* 147–53). Rodney Hilton has produced a much briefer characterisation, in a single-page 'Note on Feudalism' (*TFC* 30), which would allow, for example, for the fact that Marx could speak at one point of Japan as having a 'purely feudal organisation of landed property' (*Cap.* I. 718 n. 1) – the only time, I believe, that Marx applied the terminology of feudalism to any country outside Europe. The brief definition of feudalism given in a single paragraph by Witold Kula (*ETFS* 9) is less specific: he is thinking primarily of Poland in the sixteenth, seventeenth and eighteenth centuries.

(vi)

Other independent producers

I intend to be brief about my 'other independent producers', who are a very heterogeneous collection rather than a single category, and of course must not be treated as belonging to a single class. My reasons for dealing with these 'independent producers' in a separate section are to indicate broadly how I think their class position should be determined, and to mention a few relevant facts about them.

I begin by excluding two exploited classes with which I have dealt already: first, hired labourers in the strict sense (see III.vi above); and secondly, those ancillary workers – artisans, building and transport workers, fishermen and others – who originate from the peasantry and remain among it, and are treated here as part of the peasantry (see Section ii of this chapter). Manual workers who

cannot properly be regarded as part of the peasantry (because, for example, they live in a town) form the bulk of those I am considering in this section, with traders and those who provide transport and other services of various kinds. Perhaps the largest single group would be artisans or craftsmen¹ (*Handwerker*: the German word has a somewhat broader scope). Traders of different sorts, from the merchants who carried on commerce between cities (*emporoi*) to small local dealers and shopkeepers (*kapēloi*), would be a group of perhaps equal importance. A fair number in almost every section would be freedmen (see III.v above). The status and the class position of all these people would usually be closely related, but not always: here, it is only the latter with which I am concerned, and for me the main determinant of an individual's class position in antiquity is the extent to which he exploits the labour of others (mainly slaves, but also occasionally hired men) or is himself exploited. At its highest level my present category – like that of peasants – will merge with my 'propertied class': the criterion for membership of that class, as I have already made plain (in III.ii above), is the ability to live a life of leisure without actually working oneself to provide one's daily bread. And it is likely that any of my 'independent producers' who acquired sufficient wealth to enable them to live the life of a gentleman would make the necessary change of life-style, although others might aim higher and prefer to continue their trade or business activity until, for example, in the Roman period, they qualified for the equestrian order. (In my scheme of things the second set of individuals, as much as the first, would already have entered the 'propertied class', although their social status would be relatively lower until they ceased their 'banalistic' activity.)

Most of the individuals I am now considering would be quite humble men, who could normally raise themselves into my 'propertied class' only in one of two ways: either by displaying some extraordinary skill, or by becoming able to exploit the labour of others. Among those we should call 'artists' (the ancients did not normally distinguish them from craftsmen), we hear of a handful who made their fortunes, although the few figures we find in the literary sources are seldom very plausible – the HS 1 million, for instance, which Lucullus is said by Varro to have promised the sculptor Arcesilaus for making him a statue of Felicitas (Pliny, *NH* XXXV.156), or the twenty talents' weight of gold which Alexander the Great is supposed to have paid the painter Apelles for depicting him wielding a thunderbolt in the temple of Artemis at Ephesus (*ibid.* 92). Certainly the great Athenian sculptor Praxiteles, whose life probably spanned the first six decades of the fourth century B.C., must have become wealthy, for in the 320s we find his son Cephisodotus appearing as a trierarch and as one of the most conspicuously rich Athenians of his day (see Davies, *APF* 287-8).² Ordinary skilled craftsmen might have to be prepared to travel about a good deal if they did not live in a large city where there would always be plenty of work. We often hear of Greek architects, sculptors, builders and the like moving from city to city where major projects were in progress (see Burford, *CGRS* 66-7, with examples and references). When Dionysius I, the famous tyrant of Syracuse, planned to attack the Carthaginian area in 399 B.C., he is said by Diodorus to have brought together *technitai* to make weapons of war, not only from the considerable portion of Sicily which he controlled but also from Italy, where there were many Greek cities, from Greece itself, and even from the

Carthaginian dominions (XIV.xli.3-6).

Doctors, in the earlier periods of Greek history, were also placed in much the same category as other 'craftsmen': in Homer the doctor is grouped among *dēmioērgoi*, with the seer, the carpenter and the minstrel (*Od.* XVII.382-5); and in Plato he is put on the same level as the shipwright (*Gorg.* 455b). Only one Greek doctor before the Hellenistic period appears in literature as having earned large sums of money by his professional skill: the famous physician Democedes of Croton, as early as the sixth century B.C., is said to have been paid in three successive years a talent by Aegina, 100 minae (12½ talents) by Athens (at this time under the tyrant Peisistratus), and two talents by Polycrates, the tyrant of Samos (*Hdts* III.131.2). In case anyone feels that Democedes was really giving a form of hired labour, I had better explain that what the Aeginetans and Athenians and Polycrates were really paying for was Democedes' valuable presence in their cities; he may well have made additional earnings from his patients. In the Hellenistic and Roman periods the status of the more successful Greek doctors (though hardly of doctors as a whole) certainly rose; and we have numerous texts that speak of them with respect, in particular the 'public physicians'³ employed by cities and at the royal courts; in the Roman period the title of 'chief doctor' (*archiater* in Greek) was widespread. The greatest of all Greek doctors, Galen,⁴ whose life covered the last seven decades of the second century, was personal physician to the Emperor Marcus Aurelius.

Talented *hetairai* (courtesans) and other providers of essential services sometimes did very well for themselves. Among traders, the petty local ones called *kapēloi* would rarely if ever make substantial sums; but *emporoi*, inter-city merchants (who might also be called *nauplēroi* if they were ship-owners),⁵ must sometimes have made fortunes, if not nearly as often as many modern scholars have supposed.⁶ But the great majority of the people I am dealing with in this section are likely to have lived not very far above the poverty-line, unless and until they could manage to acquire a slave or two, as I think a fair number may have done when conditions were favourable and slaves were cheap. There is a very revealing remark in Sallust, describing the common people whose votes, in his opinion, had been mainly responsible for the election of Marius (a *novus homo*) to the consulship of 107 B.C. (but see VI.vii.60 below); he describes them as 'artisans and countrymen all, whose assets and credit were embodied in their hands (*opifices agrestesque omnes, quorum res fidesque in manibus sitae erant*: *BJ* 73.6). In this the craftsman and the poor peasant bore a strong resemblance to each other.

Those I am dealing with in this section are all, by definition, not members of the 'propertied class', apart of course from the few who managed to rise into it. We must then ask, How were they exploited, and to what extent? This is not at all an easy question to answer. The great majority of these individuals will have shared an important characteristic with those peasants who were freeholders: as a rule they were not subject to *direct* exploitation by *individual* members of the propertied class (cf. Section I of this chapter), except in so far as they got into debt to rich men. They were unlike hired labourers in that their principal asset, their skill ('embodied in their hands'), was under their own control; in addition, some of them will have owned simple tools and the like, but the only items in this category which are likely to have been really important are those that belonged to some transport-workers: mules, donkeys and oxen, carts and wagons. Exploitation

of members of all the groups with which I am dealing in this section will probably not as a rule have been severe, unless it took place in an *indirect* form, through taxation or compulsory menial services.

As we saw in Section i of this chapter, taxation in the Greek cities in the Classical, Hellenistic and Roman periods is a very difficult subject, about which little that is significant is known, owing to the fragmentary and chaotic nature of the evidence; but I believe that detailed investigation might well reveal a heavier incidence of taxation on these groups than has been generally realised. In the Later Roman Empire there is at least one general tax on such people about which we have some definite evidence: the *chrysargyron* or *collatio lustralis*, imposed by Constantine in the early fourth century upon *negotiatores* in a broad sense, including for this purpose not only traders but also fishermen, moneylenders, brothel-keepers and prostitutes, as well as urban craftsmen who sold their own products, though not rural craftsmen (whom I have classified among peasants: see above). The tax was payable at first in gold or silver, but from the 370s onwards in gold only. It is probably the fact that this tax was payable once every four years which made its incidence appear so heavy. At any rate, there are harrowing descriptions by the orator Libanius, the historian Zosimus and the ecclesiastical historian Evagrius of the hardships which the collection of this tax was believed to impose: parents are even said to have been driven to sell their children into slavery and fathers to prostitute their daughters in order to raise the necessary money to pay the tax.⁷ We have only a single figure for the amount raised by this tax: in the last years of the fifth century, 140 lb. gold was being collected every fourth year at the important city of Edessa in Mesopotamia (Josh. Styl. 31). This works out at 2,520 solidi per year – not a large sum, certainly, compared with what peasants had to pay (see Jones, *LRE* I.465), but enough to cause distress, or at least bitter complaints. The tax was still being paid in Italy under the Ostrogothic kings in the sixth century; but it was abolished in the East by the Emperor Anastasius in 498 (*CJ* XI.i.1, dated by Josh. Styl. 31).

I cannot resist mentioning here one amusing fact, arising out of the payment of the *chrysargyron* by the brothel-keepers of Constantinople. The trade of the procurer (the *leno*) was forbidden in 439 in Constantinople by the Emperor Theodosius II; but the wording of the imperial constitution by which this was done (*Nov. Theod.* XVIII) begins with a fascinating preamble (§ 1), showing that it had been necessary for the chief promoter of this measure, Florentius (who had just been Praetorian Prefect of the East), to make a settlement of property (undoubtedly in land) the income of which would be sufficient to compensate the state for the loss of revenue from the tax consequent upon the hoped-for disappearance of the *leno* from Constantinople! The Novel in question, written in the degenerate rhetorical Latin of the fifth century, is well worth reading as a whole. It begins by expressing satisfaction that no one need now doubt the historical traditions of 'eminent men putting the interests of the state before their own wealth': the opening words are, 'Let historical works earn credence from contemporary example' (*fidem de exemplis praesentibus mereantur historiae*). Not for another two or three decades, by the way, were brothels prohibited everywhere, by a constitution of the Emperor Leo (*CJ* XI.xli.7) – which of course was widely disregarded. As the lawyer Ulpian had said more

than two centuries earlier, in a passage reproduced in Justinian's *Digest*, 'brothels are maintained on the property of many men of quality' (*multorum honestorum virorum*, V.iii.27.1).

Specialised workers of various kinds – not only craftsmen but also merchants, shipowners, ferrymen, fishermen, moneychangers, gardeners and many others – became more and more addicted, partly under Roman influence, to collective associations, often referred to in modern times, misleadingly, as 'guilds'. The normal Latin word for one of these is *collegium*.⁸ In Greek a great variety of collective terms is found;⁹ it is also very common for the men concerned simply to refer to themselves as 'the ferrymen', 'the bakers', 'the shoemakers', 'the wool-workers', and so forth. Some of these associations may have been little more than 'burial-clubs'; and there is very little evidence of their having acted like modern trades unions to improve their members' pay or conditions of work; but there are a few scraps of evidence for such activities in one or two places in the Greek East, extending even to the organisation (or the threat) of what we should call strikes. An interesting article by W. H. Buckler (*LDPA*) presented all the important evidence available down to 1939; MacMullen in 1962–3 added a few scraps (*NRS*). Of the four documents printed and discussed by Buckler I shall single out two. Buckler's no.1 (*LDPA* 30–3) shows the provincial governor intervening at Ephesus, in the late second century, at a time of 'disorder and tumult', to discipline 'the bakers', who had been holding allegedly factious meetings and refusing to bake sufficient bread. Buckler's document no.4 (*LPDA* 36–45, 47–50, republished as *IGC* 322, and finally as *Sardis* VII.i [1932] no.18), an inscription precisely dated to 27 April 459, is much the most interesting: it shows 'the builders and artisans [*oikodomoí kai technítai*] of Sardis' making an elaborate compact with the *ekdikos* (*defensor*) of the city, a government official belonging to the department of the Master of the Offices. In order to put an end to strikes and the obstruction of building work, the association guarantees (among other things) that any work contracted for by any of its members will be properly carried out, and even undertakes to pay an indemnity in certain cases of default, and to accept liability for payment of fines out of its common property. Although the word *misthos* does occur in line 23, it does not refer (as so often elsewhere: see III.vi above) to the wages of hired labour but to the payment to workmen of their 'contract price': this is clear from the technical terms *ergodotēs* and *ergolabēsas*, used several times for the employer who 'gives out the work' and the artisan who 'undertakes the work' respectively; and when in line 35 the word *misthos* occurs again, it is used in the sense of 'indemnities' to be paid as mentioned above by the association. These 'builders and artisans' are all craftsmen, not hired labourers.

A constitution of the Emperor Zeno, issued in 483 to the City Prefect of Constantinople (*CJ* IV.lix.2), forbade anyone to create a monopoly (*monopolium*), on pain of confiscation of property and permanent exile, or to hold illicit meetings for the swearing of oaths and the making of agreements fixing minimum prices (*ibid. pr.*, 2) – evidently such things had recently been happening. Building and other workers were forbidden to refuse work on contracts begun but not finished by others (*ibid.* 1), and the officials of other associations were threatened with huge fines, of 50 lb. gold, if they dared to enter into a conspiracy to increase prices (*ibid.* 3).

* * * * *

There is a much-quoted passage in Plutarch's *Life of Pericles* (2.1-2) which some people today may find astonishing: in Plutarch's eyes no young gentleman, just because he had seen the Zeus of Pheidias at Olympia or the Hera of Polycleitus at Argos (two of the most-admired ancient statues) could possibly want to be Pheidias or Polycleitus.¹⁰ Such statements in the mouth of a 'real Roman' might not seem so surprising, it will be said; but was not L. Mestrius Plutarchus, the Roman citizen (albeit a newly-made, first-generation one), also very much a Greek? The answer is that in the Roman period the Greek as well as the Roman propertied classes felt a greater gulf between themselves and all those (including *technitai*, and therefore 'artists') who engaged in 'banausic' occupations than had the leading Greeks of the Classical period, at least in Athens and some other democracies. Had Pheidias and Polycleitus sculpted purely as amateurs, had they enjoyed large private incomes and received no payment for their artistic work, Plutarch and his like would have found nothing contemptible about them. It was the fact that they could be considered to have *earned their living* by actually working with their own hands that made them no fit model for the young Graeco-Roman gentleman. Plutarch says elsewhere that the Athenian painter Polygnotus showed he was no mere *technitēs* by decorating the Stoa Poikile at Athens *gratis* (*Cimon* 4.7).

Since in a class society many of the values of the governing class are often accepted far down the social scale, we must expect to find disparagement of craftsmen, and therefore even of artists, existing in the ancient world not only among the propertied Few. In particular, anyone who aspired to enter the propertied class would tend to accept its scale of values ever more completely as he progressed towards joining it. Yet it would be absurd to suggest that the lower classes as a whole dutifully accepted the social snobbery and contempt for the 'banausic' that prevailed among the well-to-do. Many Greeks (and western Romans) who might be called 'mere artisans' by superior people even today were evidently very proud of their skills and felt that they acquired dignity by the exercise of them: they referred to them with pride in their dedications and their epitaphs, and they often chose to be pictured on their tombstones in the practice of their craft or trade, humble as it might be in the eyes of their 'betters'.¹¹ To say that 'the ancient Greeks' despised craftsmen is one of those deeply misleading statements which show blindness to the existence of all but the propertied Few. It might have shocked even the humble Smikythe, who, in an inscription of four words accompanying an early-fifth-century dedication at Athens, took care to record her occupation: she was a *plyntria*, a washerwoman (*IG* I².473 = *DAA* 380).¹² It would certainly have shocked the families of Mannes the Phrygian, who was made to boast on his tombstone in late-fifth-century Attica, 'By Zeus, I never saw a better woodcutter than myself' (*IG* I².1084),¹³ and of Atotas the Paphlagonian, whose fine Attic monument of the second half of the fourth century, describing him as 'Atotas, miner' (*metalleus*), bears two elegiac couplets advertising the *Selbstbewusstsein* of the proud technician, with not only a conventional claim to distinguished heroic ancestry but also the boast that no one could compete with him in *technē* (*IG* II².10051).¹⁴ In a dedication of A.D. 149, also in elegiac couplets, probably from Perinthus in Thrace, the sculptor Kapiton and his assistant Ianouarios (who inscribed the

verses) prided themselves on being 'skilled in craftsmanship' (*sophotechnēies*).¹⁵ They were using a very rare word; but the *sophia* in *technē* which they were claiming, whatever it might be called (most often just *technē*), had a long history that we can trace for many centuries, in literature and inscriptions, right back into the Archaic age. The name Technarchos ('master of *technē*'), revealed by a graffito of about the last decade of the sixth century B.C. in the temple of Apollo at Spartan Amyclae, suggests that around the middle of the sixth century an artisan could hopefully give his son a name that would suit a master craftsman, proud of his calling.¹⁶ And very many makers and painters of vases in the sixth century B.C. and later, especially at Athens, proudly inscribed their names on their products, followed by the word '*epoiēsen*' (for the maker) or '*egrapsen*' (for the painter).¹⁷